

IN THE MATTER OF an application
by the City of London to establish
a sanitary Land-fill site in the
Township of Westminster, Ontario

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HELD AT: Lambeth, Ontario

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Nethercut & Co. Ltd.

Toronto, Ontario

ENVIRONMENTAL HEARING BOARD

IN THE MATTER OF an application
by the City of London to establish
a sanitary landfill site in the
Township of Westminster, Ontario.

HEARD BEFORE:

John Root	Chairman
D. Aubrey Moodie	Vice-Chairman
H. E. Brown	Member
H. Browne	Technical Adviser
T. A. Murphy	Secretary

Hearings held at Lambeth United
Church Auditorium, Lambeth, Ontario
on Thursday the 2nd day of August, 1973.

APPEARANCES:

Geo. F. Plaxton, Q.C.	For the Corporation of
Roland J. Haines	the City of London
A. C. Wright	For the Westminster Anti-
J. W. Sifton	Landfill Committee

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Toronto 116, Ontario.



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--- Upon commencing at 9:30 a.m.

THE CHAIRMAN: Ladies and gentlemen,
may we come to order?

Mr. Wright, are you prepared to
continue with your questions?

MR. WRIGHT: I have a few more ques-
tions.

GEORGE R. ROBERTSON, recalled:

FURTHER EXAMINATION BY MR. WRIGHT:

Q. Mr. Robertson, perhaps you
could tell us what precautions or what means would
be taken to detect a hot truck that comes into the
dump site? That is an expression which was used
in the film.

A. Usually when a hot truck comes
into the site, it is something we are not usually
aware of.

A SPECTATOR: We can't hear.

THE WITNESS: The truck on its way
to the site usually will make the fire in the truck more
prominent you will see smoke coming from the truck.

If you don't if it is dumped on the face and there
is a fire it will be removed from the dump face
itself and extinguished.

MR. WRIGHT: Q. To what place is
it removed?

A. It is removed out of the area.
You have a back-in area around the dump face itself.

THE CHAIRMAN: Can you hear in the
back?



SEVERAL SPECTATORS: No, can't hear

1 at all. Can't hear.

2 THE WITNESS: I will say it again.

3 Usually there is an area around the
4 dump face itself where the trucks back in and it is
5 removed from that face to that area and the water
6 truck and the heavy equipment on the site would
7 extinguish the fire.

8 MR. WRIGHT: Thank you.

9 Q. How much sludge is presently
10 being put into the Clarke Side Road site and how
11 many approvals have you given in connection with
12 that sludge since the passage of the regulations by the
13 city?

14 A. We have given two approvals,
15 one to Firestone and one to the London Winery.
16 Actually, the approvals -- the sludge hauled in
17 there so far has been ^{no liquid} waste and those companies by the end
18 of August
19 /are under the necessity to take this waste to the
20 dump site themselves.

21 Q. The guidelines, Mr. Chairman,
22 appear on page 14 of Appendix B the city's brief.
23 It speaks of approval being given for the disposal
24 of such waste on each occasion. Am I correct from
25 what you have told us that this is blanket approval
26 that has been given to two particular operations?

27 A. We got together with the
28 company. They had a problem and, as is usually the
29 case when you have a company like this, it is not
30 all that easy for them to apply as of that date.
The companies did approach the city with a program
for the elimination of the problem. I think we were



1 satisfied that the program they had was reasonable
2 and gave permission to bring sludge into the site and the
3 deadling date is the end of August, I believe.

4 Q. So what you are telling us is
5 that you were not asked to give approval on each
6 occasion?

7 A. On each occasion -- I think
8 really what that means is that some company has a
9 problem, some person has a problem. What we are
10 saying is that they are quite entitled to bring
11 the problem to us. If we consider that it is
12 something that would interfere drastically with
13 the operation of the plant, then we would under
14 some circumstances withhold approval. If it was
15 felt that the waste just couldn't be disposed of
16 at the site, we would tell them to take it some
17 other place.

18 Q. I must ask for an answer to
19 the question I'm asking: you are not giving app-
20 rovals on each occasion that a truck goes into this
21 site, the Clarke Side Road site?

22 A. Yes, we do. We in effect give
23 them approval to haul in two loads or three loads
24 of waste per week. Each and every load that comes
25 in, that particular load, they don't come to us and
26 say, "We want to haul a load in tomorrow," and say,
27 "We want to haul in a load Wednesday," and so forth.
28 The come and say, "We would like to haul in three
29 loads of sludge to the fill site until the end of
30 August."



1 Q. Would you agree with me that
2 your interpretation of the guidelines set down by
3 the city and mine are different?

4 A. I suppose in one way it is
5 different, but we have a program and certainly we
6 require
7 have the right to /each and every load they bring
8 in to have prior approval. Prior to bringing a load in
9 we will not give a separate approval for each load.

10 Q. Would you agree with me that
11 elaboration of this particular aspect of the guide-
12 lines would be required so that the public would not
13 be quite as misled?

14 A. I would think that could very
15 well be done.

16 Q. You have been through -- you
17 are very familiar with the guidelines that were set
18 down by the city as to the operation and maintenance
19 of landfill sites?

20 A. Yes.

21 Q. Is there anything else in it
22 that we should be aware of that needs elaboration?

23 A. I think, as in all regulations,
24 in some cases the regulations are flexible. It does
25 say in the regulations that no scrap iron will be
26 brought onto the site, but if somebody comes along
27 with a pickup truck with some waste building material,
28 including a small quantity of scrap iron, we will
29 allow them to dump it.

30 Q. So the guidelines are to be
treated as a flexible guideline which is to be sought



1 after, rather than a real statement of what will
2 be strictly enforced?

3 A. There are very small quantities.
4 Larger amounts of scrap metal and so forth would not
5 be allowed on the site.

6 Q. Who is going to be exercising
7 the judgment as to how much flexibility is going to
8 be allowed? Is that you or a site operator?

9 A. In the sanitation division --
10 on the site there is a foreman who is in charge
11 of the site at all times that it is open. There
12 is a general foreman in the sanitation division above him
13 who -- and also a superintendent of the sanitation
14 division on the staff. We do make visits to the
15 site. The general foreman would be on the site
16 at least once a day. Basically, these are hour to
17 hour judgments that are the responsibility of the
18 foreman on the site to make these judgments.

19 Q. Mr. Robertson, I might say
20 that throughout this whole hearing we have been told
21 the strictest controls are going to be used in
22 respect of the operation and maintenance of this
23 landfill site that is being proposed. Every time
24 an objection is raised we have been told that these controls
25 are going to be strictly adhered to. Basically
26 what you are telling us is that in your view they
27 are flexible outlines of what should be done and
28 that the flexibility is going to be in the discretion
29 of not yourself who is the top man responsible and
30 not a superintendent, but on most occasions he is



1 going to be the third or fourth man down the line
2 who is on the site whose knowledge of the background
3 plan is not going to be nearly as great as yours is?

4 A. I understood what we were talking
5 about was things like scrap iron and so forth coming
6 into the site. The site foreman does not have
7 authority to authorize a load of sludge to come into
8 the site. What I really was talking about were things
9 like scrap iron, building materials and things like
10 that that he does have the responsibility there. If
11 someone came in with a truckload of scrap iron, he
12 knows perfectly well his instructions and he doesn't
13 want that material in there. Mainly we are talking
14 about a householder coming down with something in
15 the car or a pickup truck, a hodge-podge of stuff
16 from his house or his barn and the foreman does
17 have the flexibility to say, "Go ahead," or not.

18 Q. Where is the sludge taken from
19 the city sewage disposal treatment plant deposited?

20 A. It is taken from the plant to
21 the site, after incineration.

22 Q. You don't consider that portion
23 of what would be left after incineration to be
24 sludge for the purposes -- you wouldn't consider
25 what is being put on the site sludge for the
26 purposes of what we were discussing before?

27 A. We have sludge cake on the site.

28 Q. The city engineer's approval
29 for disposal of such waste, it must be obtained on
30 each occasion. The approval you spoke of, you didn't



1 speak of approval given of this kind. Is this
2 something else?

3 A. Any material such as the cake
4 from the operation of the city with the sewage
5 treatment plant, filtration and so on, the cake has
6 to be disposed of. The actual sludge itself, om
7 Toronto they dispose of this sludge in a landfill
8 site and that is a practice pretty well acceptable
9 to the Ministry of the Environment. It is in fact
10 acceptable to the Ministry of the Environment.

11 Q. You spoke of cleaning out the
12 leachate drains and running something down through
13 them to clean out any blockage that might develop.
14 How is it proposed to clean out the perforations
15 in the pipe that is going to allow the leachate to
16 get into the drain in the first place?

17 A. I think it is the same pretty
18 well as your field tile in farming. If there is an
19 obvious problem from that, then the section of pipe
20 where there is a blocked perforation has to be taken
21 up and repaired. In this particular case the pipes
22 will be in granular material. If you don't get the
23 leachate coming down the pipe, of course, the leachate
24 will come down the actual granular material around the
25 pipe.

26 Q. You are contemplating, basically
27 the answer is that you are going to dig up that
28 section?

29 A. And replace that section as
30 required.



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1 Q. And that would be supervised
2 by an engineer, would it, a professional engineer,
3 that digging up?

4 A. Normal maintenance operation
5 involves digging up or replacing a section of pipe
6 or any similar operation and that would be super-
7 vised initially by a professional engineer.

8 Q. I have just one further matter
9 which I want to discuss with you and that is the
10 height from which those pictures were taken of the
11 various dumps around the City of London.

12 A. I couldn't answer that. They
13 took those pictures without our knowledge. Possibly
14 they asked, but I am not sure.

15 MR. PLAXTON: I have asked the
16 question and a representative who is here today
17 can't answer the question, but we can try to get
18 an answer.

19 MR. WRIGHT: Q There is no real
20 importance to the actual height itself. It is just
21 that perhaps Mr. Robertson could express his opinion
22 as to whether or not from the kind of height that
23 he must envisage from the type of photograph, the
24 type of land that was taken into that photograph,
25 would it be possible to see any kind of paper or
26 half buried garbage from that height?

27 A. If there was a large area of
28 exposed garbage, I would think that that would be
29 apparent such as ^{the cars} at the scrap yard. If you are
30 talking about bits of paper lying about, I wouldn't



1 think so. That is my opinion.

2 MR. WRIGHT: Those are my questions,
3 Mr. Chairman.

4 THE CHAIRMAN: Thank you. Are there
5 any other persons who would like to pose questions to
6 Mr. Robertson?

7 MRS. McDOUGALL: Mr. Robertson, what
8 arrangements are going to be made as far as fire
9 protection goes for this landfill site?

10 THE WITNESS: As I said the present site
11 which has been in operation since 1971, we have had one
12 minor fire on the site. And, of course, on the site it-
13 self at all times we do have the heavy equipment for the
14 spreading, compacting of garbage and we do have a water
15 tank truck with spray valves, and we do have stockpiles
16 of cover material and, in addition to that, we have a
17 telephone there and any fire that we consider would be
18 getting away from us we certainly would call the fire
19 department. I think the last small fire we had at the
20 site we did call the fire department, even though we
21 could have controlled it ourselves.

22 MRS. McDOUGALL: Which fire department
23 would you call, the City of London or the Lambeth Volunteer
24 Fire Department?

25 THE WITNESS: I would call the city fire
26 department. I think that the jurisdiction would have to
27 be ironed out with the township council, the township
28 themselves to authorize the city fire department to come
29 to the fill site in the event of a fire. I don't think
30 it is much of a problem.

MRS. McDOUGALL: Do you know how long



1 | to get to that site, the Lambeth Volunteers?

2 | THE WITNESS: No, I don't.

3 | MRS. McDOUGALL: How long would it
4 | take someone from the fire station on Wellington
5 | Road to get out there?

6 | THE WITNESS: I don't know. There
7 | may be somebody here would could answer that question.

8 | MRS. McDOUGALL: Which one do you think
9 | would be there the soonest?

10 | THE WITNESS: I don't envisage -- I
11 | have never seen a large fire on a landfill site. I
12 | have seen fires on the old types of garbage dumps
13 | which were severe, but on a landfill site I have
14 | never seen or heard of a large fire.

15 | MRS. McDOUGALL: I realize that.
16 | You are defining this all in optimum conditions
17 | and something might go wrong.

18 | THE WITNESS: I wasn't speaking of
19 | the proposed site. I was speaking from past ex-
20 | perience of other sites, other sites we have
21 | operated in the area.

22 | MRS. McDOUGALL: I have another
23 | question: if a truck comes to the dump and it
24 | doesn't use the designated route, not referring to
25 | trucks
the City of London/, but a private truck or private
26 | individual hauling truckloads of material for the
27 | site, you tell me that if you see this truck coming
28 | the wrong way you are going to sort of reprimand
29 | him and inform him if he does it again his refuse
30 | won't be accepted. Are you going to have someone



1 around who is going to do nothing but watch how
2 they come in?

3 THE WITNESS: We will have a man down
4 at the entrance to the site to direct the traffic.

5 MRS. McDOUGALL: Is the weigh scale
6 before you come to the berm?

7 THE WITNESS: The weigh scale is
8 behind the berm.

9 MRS. McDOUGALL: Between the berm and
10 the dumping area?

11 THE WITNESS: The weigh scale would
12 be past the entrance to the site. Trucks would
13 come behind the berm and about 250 feet beyond that,
14 beyond the entrance to the site itself is the weigh
15 scale.

16 MRS. McDOUGALL: How high is the berm?

17 THE WITNESS: Fifteen feet.

18 The berm is fifteen feet high.

19 MRS. McDOUGALL: How can a man see how
20 a truck comes over a 15 foot berm?

21 THE WITNESS: The berm is straight
22 and in all possibility we would hope he could see
23 the entrance gate and say which way the trucks are
24 coming from.

25 MRS. McDOUGALL: In your proposal
26 you say they have to come this way and if they
27 don't come this way you are going to do something
28 about it. My point is how are you going to control
29 it? No one can tell me someone sitting 250 feet
30 inside a berm can see over and see which way a car



1 turns at the 7th Concession.

2 THE WITNESS: That is true. This is
3 a problem that could arise and may arise and certainly
4 I would think that there will be a problem initially.
5 We would rely to an extent at all times on the re-
6 sidents in the area to inform the sanitation division
7 and tell us there is a problem. If there is a pro-
8 blem, it is a simple matter for us to put a man out
9 on the road and find out exactly what is happening.
10 As I say, once we do know who is doing this, then
11 it is quite a simple matter for us to warn the
12 parties that if they do this again, they will not
13 be allowed on the site. That is not to be taken
14 lightly.

15 MRS. McDOUGALL: I'm glad to hear
16 you will do it because the other day I asked and
17 I was told you would have to call the police. Can
18 you tell me how many people are presently employed
19 at the Clarke Side/^{Road}landfill site?

20 THE WITNESS: Fifteen.

21 MRS. McDOUGALL: How many do you
22 propose having at the new site?

23 THE WITNESS: Twenty-one.

24 MRS. McDOUGALL: Could you tell me
25 why you would be adding six more people?

26 THE WITNESS: We are having addition-
27 al equipment there, an additional heavy bulldozer
28 at this new proposed site. In addition to that, we
29 will have additional men on cleanup. Of course there
30 will be a maintenance shed there too.



1 MRS. McDOUGALL: Do you have men at
2 Clarke Road who do nothing but cleanup?

3 THE WITNESS: Not on a regular basis.

4 MRS. McDOUGALL: How would you deter-
5 mine when the need comes to clean it up?

6 THE WITNESS: As I say, we will have
7 two men there and that is what their job will be,
8 cleaning up.

9 MRS. McDOUGALL: I'm talking about
10 the Clarke Side Road site.

11 THE WITNESS: It is a matter of a
12 judgment by the foreman himself, the general foreman
13 or whoever is at the site decides the site requires
14 a cleanup and then they do it.

15 MRS. McDOUGALL: Would it be the same
16 foreman who is looking after the Clarke Side Road site?

17 THE WITNESS: I can't say yes or
18 no. We would like to have the same foreman there,
19 but it is two years away now.

20 MRS. McDOUGALL: It is left at his
21 discretion when it is cleaned up?

22 THE WITNESS: We will have two men
23 on full time at the new site.

24 MRS. McDOUGALL: I would think that
25 perhaps if they have that number of staff cleaning
26 the other one up, they maybe should hire four men
27 to clean up the new one.

28 THE WITNESS: At the new site there
29 will be times when additional men will be required
30 for cleanup and, as they are required, they will be put on.



1 MRS. McDOUGALL: Were you working with
2 the City of London when this landfill site on Clarke
3 Side Road was opened?

4 THE WITNESS: Yes.

5 MRS. McDOUGALL: Did the City of
6 London design it in conjunction with MacLaren
7 Engineering?

8 THE WITNESS: Yes.

9 MRS. McDOUGALL: MacLaren's are
10 designing the new one?

11 THE WITNESS: Yes.

12 MRS. McDOUGALL: What is the life
13 expectancy of the Clarke Side Road site?

14 THE WITNESS: Four years.

15 MRS. McDOUGALL: How long do you
16 expect that it will last?

17 THE WITNESS: Slightly over three.

18 MRS. McDOUGALL: Is this taking into
19 consideration the acquiring of any new land at that
20 Clarke Side Road site?

21 THE WITNESS: No. That is the existing
22 site itself.

23 MRS. McDOUGALL: So that is a large
24 enough 25% difference between the proposal and the
25 actual life?

26 THE WITNESS: That is correct.

27 MRS. McDOUGALL: MacLaren's are de-
28 signing this one for a 20 year lifespan?

29 THE WITNESS: Yes.

30 MRS. McDOUGALL: Could we assume it



1 might last only 15 years?

2 THE WITNESS: I wouldn't assume that.

3 Mr. Morris has explained that on the design of the
4 present site the city didn't have a weigh scale
5 available and a weigh scale was rented for two weeks
6 and records were taken over those two weeks which^{were}/typical
7 we thought. At that time the results from the weigh
8 scale were used to estimate the life expectancy. We
9 do have a weigh scale on the site now and know how
10 much garbage is coming in and those figures -- the
11 actual figures that we got from the weigh scale
12 unfortunately were low.

13 MRS. McDOUGALL: My question is:
14 are you allowing any margin for pushing, if it is
15 designed for 20 years, do you expect in 20 years
16 time from the day you start that it will be just
17 getting to the stage where you are going to have
18 to do something else?

19 THE WITNESS: No. I think the
20 planning for fill sites and so forth in most town-
21 ships, towns and cities are operated the same way.
22 If you have the full life of the fill site, you are
23 ahead of the game and perhaps, if you get below that,
24 start looking for something new. Things are changing
25 so rapidly as you know in the waste disposal field
26 that in the last two years there has been a great
27 deal of talk and it would appear that at this stage
28 there is some action coming along. Certainly I
29 think the City of London Council are doing their
30 best. They are certainly interested in recycling to improve



1 the method of disposing of waste. They would
2 rather give you a useful product then burn it or
3 bury it.

4 MRS. McDOUGALL: Supposing your
5 calculations are out by 25%. Would you be looking
6 for more property in this area if your landfill site
7 becomes full before the designated time?

8 THE WITNESS: I guess, of course ---

9 MRS. McDOUGALL: The whole thing --
10 the whole brief is made on supposition. It has
11 never been tried.

12 THE WITNESS: The estimated life of
13 intelligent
14 a site is an/estimate based on the data that has
15 been accumulated, using all the data^{over} the 20-
16 year life of a site. As I say, during the life of
17 the site, if it is 15 years, then certainly there
18 will be an indication at least five years before
19 the end of the life cycle that such and such a
situation is arising.

20 MRS. McDOUGALL: My question to you
21 was you will have an awful lot of money and things
22 tied up out there. If this is short, are you going
23 to look at more property in the immediate vicinity?

24 THE WITNESS: I can't answer that.
25 It is 15 years away. If there was no other means
26 of disposal, if conditions then are exactly as they
27 are now, that is a possibility. That is a possibility
28 and that is all. That is a big "if".

29 MRS. McDOUGALL: The Greenway landfill
30 site, I've never been in it since it was completed.



1 What do they use it for?

2 THE WITNESS: They use it for picnics
3 and recreation there.

4 MRS. McDOUGALL: There is no heavy
5 equipment taken over and things like this?

6 THE WITNESS: The PUC vehicles go
7 over the site to spread the fertilizer cover.

8 MRS. McDOUGALL: What do they weigh?

9 THE WITNESS: Considerable.

10 MRS. McDOUGALL: Do they run combines
11 and things over it or tractors?

12 THE WITNESS: No, there is no reason
13 to do that. There is no reason to say you can't.

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14 In fact once they did lay a sewer line through
15 there and they had backhoes through there of 20 to 25
16 tons and so on and large trucks.

17 MRS. McDOUGALL: Would it have been
18 an engineered landfill site or was it just a land-
19 fill site per se?

20 THE WITNESS: It was a landfill site.

21 MRS. McDOUGALL: Were precautions
22 taken there not to pollute any water around it?

23 THE WITNESS: It was just the usual
24 form of landfill site.

25 MRS. McDOUGALL: Why would you have
26 put it there?

27 THE WITNESS: It was an available
28 piece of land. I wasn't around when the selection
29 was made, but I suppose in those days that is the way
30 a landfill site was selected.



1 MRS. McDOUGALL: It is very low
2 there, is it not?

3 THE WITNESS: It is in the flood area.

4 MRS. McDOUGALL: The elevation of
5 land in Westminster Township has some bearing on this
6 proposal. Why would the city not look at another
7 area that would be farther away from London? I'm
8 thinking of expansion of the city. Why would they
9 want to pick a site that is really so close to the
10 city itself, rather than looking at something that
11 is a distance away where it wouldn't really be such
12 a major concern to the immediate area?

13 THE WITNESS: I don't really think
14 if we moved it 20 miles away that it would reduce/concern^{the}.
15 We could certainly move it from this area but I
16 would imagine the area it was moved into would
17 still be a matter of concern to the people.

18 MRS. McDOUGALL: It wouldn't be a
19 matter of economics?

20 THE WITNESS: That comes into it too.
21 I thought you were talking about the concern of the
22 actual neighbourhood. I don't think that would change.

23 MRS. McDOUGALL: I'm asking you why
24 you would pick a site that was so close to the city
25 limits itself, rather than going out a ways, I mean,
26 let's say, in 20 years the City of London is going
27 to expand, but if it were some miles away, it
28 wouldn't be so close.

29 THE WITNESS: I suppose if we picked
30 a site 20 miles away, and they would say, "If you



1 go 20 miles from the city, why can't you go closer
2 to the city?" The economics would be more favourable
3 closer to the city.

4 MRS. McDOUGALL: When you fill this
5 new site up with these daily cells, are each of the
6 cells going to be sorted out and are you going to
7 put rubble that is not biogradable into a separate
8 area?

9 THE WITNESS: We will not be doing
10 that.

11 MRS. McDOUGALL: You are going to
12 compact it and cover it with packed clay?

13 THE WITNESS: That is right.

14 MRS. McDOUGALL: How much allowance
15 is made -- I'm not an engineer -- how much allowance
16 is made if you get truck tires and tractor tires
17 which have an 18 inch depth and you are packing
18 them in, is this not going to take away from the
19 compaction?

20 THE WITNESS: We don't accept tires
21 at fill sites. If somebody came in with an occasional
22 tire, fine, but people do come up to us with truck-
23 loads of tires and want to dump them in a fill site
24 and we refuse them.

25 MRS. McDOUGALL: I thought I saw
26 slides showing tires.

27 THE WITNESS: I thought it was a tire.
28 If you have a tire from your car you want to get rid
29 of, we will accept it at the fill site.

30 MRS. McDOUGALL: Most farmers would not



1 throw a tractor tire away but I was just thinking
2 of having these big awkward sized pieces that would
3 be put in with things that can really be packed down.

4 THE WITNESS: We would not accept those.
5 As I say, the odd tire from time to time doesn't
6 matter at the fill site but automobile tires are
7 very, very small in relation to some of the other
8 garbage.

9 MRS. McDOUGALL: Could you tell me
10 what the length of time might be from the time the
11 truck pulls into the garbage landfill site and gets
12 away and is directed to where he should dump the
13 garbage and so on?

14 THE WITNESS: At the present fill
15 site under favourable conditions it would take him about
16 five minutes to get in there and out.

17 MRS. McDOUGALL: All told?

18 THE WITNESS: All told.

19 MRS. McDOUGALL: It takes five minutes
20 for one truck and you are going to have trucks coming in
21 at two per minute, so you are going to have a back-
22 log. Where do they go?

23 THE WITNESS: You are assuming one
24 truck comes in and dumps at a time. You have a face
25 there ---

26 MRS. McDOUGALL: I realize that.

27 THE WITNESS: More than one can dump
28 at a time.

29 MRS. McDOUGALL: How many scales have
30 you got?



1 THE WITNESS: At the present site, one.
2 We will have two at the new site.

3 MRS. McDOUGALL: So two trucks can
4 come through the scales at the same time?

5 THE WITNESS: One is for weighing in
6 and one for weighing out. At the present site, if
7 you bring your truck in it is weighed on this weigh
8 scale and you come back out and you weigh out at the
9 same scale, but at the new site we will have two
10 weigh scales, one for truck traffic coming in and
11 one for going out.

12 MRS. McDOUGALL: So you can maintain
13 a consistent flow of traffic?

14 THE WITNESS: We do maintain a con-
15 sistent flow at the present site.

16 MRS. McDOUGALL: I'm just wondering
17 about backlog.

18 I have another question here somewhere.
19 Could you tell me whether the proposal -- I know it
20 is going to be farm according to the proposal, but
21 would the City of London itself be into the farming
22 of this land?

23 THE WITNESS: I couldn't say.

24 MRS. McDOUGALL: Could you tell me
25 who I could direct that question to?

26 MR. PLAXTON: Mr. Rowntree will
27 answer that question.

28 MRS. McDOUGALL: Thank you.

29 Also, in the brief you do dump the
30 sewage tank trucks. How do you deal with this problem



1 of dumping sewage? Perhaps something would happen
2 that the sewage treatment plants aren't working
3 right. What would you do with the raw sewage?

4 THE WITNESS: It doesn't matter what
5 is happening in the treatment plant. That is between us
6 and the OWRC. MRS. McDOUGALL: It doesn't go to the
7 dump in its raw form?

8 THE WITNESS: No.

9 THE CHAIRMAN: Any other questions?

10 MR. VAN DIEPEN: Sir, talking about
11 the east site, how simple it is to dump everything
12 into a landfill site. What I want to say is to get
13 rid of the garbage you won't look for recycling as
14 much because it costs \$15 to get rid of instead of
15 \$10?

16 THE WITNESS: What was that again?

17 MR. VAN DIEPEN: If it costs \$10 a
18 ton to get rid of your garbage, you wouldn't lose
19 much to recycling if it cost \$15 or \$20 a ton to
20 get rid of it.

21 THE WITNESS: Do you mean if re-
22 cycling cost \$15 a ton and we can dispose of it at
23 the landfill site for \$10 a ton, then we wouldn't
24 be looking for any recycling?

25 MR. VAN DIEPEN: What I mean, sir,
26 is if it cost \$10 a ton for your garbage, anything
27 at all, to get rid of it, you wouldn't look for
28 another way as quick and as fast to get rid of the
29 garbage like for recycling when it would cost you
30 \$20 a ton to get rid of the garbage. What I want



1 to say is: how much garbage does the City of London
2 have a year?

3 THE WITNESS: About 240,000 tons.

4 MR. VAN DIEPEN: About how much
5 per cent of glass would it be?

6 THE WITNESS: There are various
7 figures for that. I suppose the figure is around
8 7%. For all the garbage in London^{no} study has been
9 done to define how much glass we have in the garbage.

10 MR. VAN DIEPEN: Maybe about 10 or
11 11%. I don't know anything about it.

12 THE WITNESS: As I say, we have not
13 ourselves done a study on this.

14 MR. VAN DIEPEN: If it will cost you
15 or if it will cost the City of London or any municipi-
16 pality at all, cost \$15 to dump garbage in an
17 incinerator, it would cost the municipality five or
18 \$6 a ton to dump the garbage in a landfill site,
19 then they would look for another way to get rid
20 of the garbage by recycling.

21 I think I saw in the Free Press not
22 too long ago about an outfit right here in London
23 which takes all the glass from the Province of
24 Ontario and puts it in a cement box.

25 THE WITNESS: On glass, Pollution
26 Probe in London has been involved in recycling
27 glass on a small scale for over a year now. They
28 are really involved in it and it is all volunteer
29 labour used. They have done a good job. Up until
30 last week I don't think they were aware of this



1 place in Lambeth. What they are doing is hauling
2 the glass to Wallaceburg and certainly this would
3 be something they would be very interested in.

4 MR. VAN DIEPEN: The City of London
5 never looked at recycling at all?

6 THE WITNESS: The City of London has.
7 A year ago I was up in Ottawa with Alderman Roman
8 who was the Chairman of the Environmental Protective
9 Services Committee and the big problem with recycling
10 is if you sort all your garbage into paper and metal
11 and so on and you have no place to put it and nobody
12 wants it, then, of course it finishes up in a land-
13 fill site and it is an exercise in futility. There
14 must be markets that are able to absorb recycled
15 materials and that is the problem. That is why a
16 brief was presented to the Minister of the Federal
17 Government asking for a study to figure out where
18 the markets would be because recycling, the problem
something
19 I think is/that all municipalities are interested
20 in it. Hamilton with the SWARU incinerator down
21 there are becoming involved in an attempt to re-
22 cycle metal, but, of course, Hamilton has the
23 steel company which paid for the equipment to
24 extract the metal and as yet it is not working
25 too well and they can't accept the stuff because
26 paper and so forth is mixed in with the metal. If
27 they get it working properly, the steel company
28 will pay \$4 a ton for this material. The thing
29 arises in London, if they started -- certainly if
30 London does that, it would lose money in hauling it



1 to Hamilton and getting \$4 a ton for it from the
2 steel mill. How much the steel mill can absorb
3 I don't know. If Toronto started it, it might very
4 well be they would say, "That is enough. We can't
5 do it." In London there is a company that has been
6 there for a couple of months now, three months, and
7 they do accept cardboard and paper, but the types
8 that they will accept, there are limits to them.
9 They will accept some paper, but on a limited basis.
10 If we went around and gathered up all the wastepaper
11 in London and took it to this company, they just
12 couldn't handle it and they would say, "I am sorry.
13 We will take 10% of it, but the rest of it you will
14 have to get rid of another way."

15 MR. VAN DIEPEN: We were talking
16 about this steel business at \$4 a ton. This
17 calculation you figure you're losing money on it
18 when you dump stuff, if it would cost you -- let's
19 say you have an incinerator that cost you \$15 a ton
20 to get rid of it. Would it cost how much to
21 separate the steel?

22 THE WITNESS: Large quantities of
23 steel and scrap iron, they are separated right
24 now. In other words, if you have some copper or
25 lead or some decent bits of scrap iron, you know
26 that if you take it to Zubeck or somebody they will
27 pay money for it.

28 MR. VAN DIEPEN: I call this man
29 and he picks it up from me and he most likely is
30 going to take it to Zubeck. I don't know what he gets



1 for it. I'm glad to have him take it. I expect
2 the City of London would know what it cost to
3 separate the steel from the other parts?

4 THE WITNESS: We don't know what
5 it would cost. There was a test run for separating
6 residential garbage and to separate one ton of
7 residential garbage into paper, glass and metal
8 it took about 10 man hours a ton. There is a
9 limit to what any municipality can go expense-wise.
10 The funds are limited, the same as they are in
11 Westminster Township and everywhere.

12 MR. VAN DIEPEN: You don't know what
13 -- you are not looking very good at recycling
14 garbage?

15 THE WITNESS: As I say, we have been
16 in touch pretty constantly with the Federal Govern-
17 ment, with the Provincial Government for a program.
18 We do know programs have been run in other munici-
19 palities. There was a big one run in Burlington
20 where they went around to the householders and I
21 forget how many but say it was a thousand house-
22 holders, "Would you be interested in separating
23 your garbage into paper, wet garbage which is use-
24 less, and glass?" I think 75% of the people said,
25 "Yes," but when the program started they found out the
26 75 had dropped to around 50% and eventually just
27 faded out. The people were not willing to do it.
28 It would appear that household garbage in my
29 opinion -- I'm only talking my opinion, but in
30 my opinion people are not willing to have three



1 garbage bags in the kitchen to put the garbage in.
2 It is just too much trouble. Any separation that
3 should be done, should be done by the municipality.
4 That has been investigated too for the City of
5 London. The hydrasnosal system was investigated
6 quite extensively by the University of Western
7 Ontario and the cost of a hydrasnosal unit for
8 London they estimated would be \$22 million. That
9 is \$22 million which is a lot of money, but apart from
10 that, their opinion was that once the garbage is
11 separated or once it is separated into paper or
12 steel and all the rest of it, what do you do with
13 it? In their opinion the markets were not available
14 for it. To start something like this, you must
15 have a pilot project and an ideal place to have a
16 pilot project is in an area where the markets are
17 available. If you were to recycle paper, then it
18 should be done in an area where there is a paper
19 mill, start off there. If you have to haul it
20 60, 70 or 100 miles to the paper mill, you are
21 losing money right there. The Provincial Govern-
22 ment right now are looking for a firm of consulting
23 engineers to design a plan for recycling. They intend
24 it to be a full scale plant. It will be a pilot
25 plant, a full scale plan? not just a little thing,
26 but a full scale plant. I would imagine at least
27 500 tons of garbage a day. That is the right
28 approach because you get London spending 25 to \$50,000
29 on a recycling project and you get Oshawa doing
30 this and all the cities and if you got all that money



1 together, for half that money you could get a worth-while
2 recycling project going and that is now what is
3 happening, it would appear to me

4 MR. VAN DIEPEN: Well, sir, when I
5 was a young fellow -- this is quite a few years
6 back and I won't say my age -- I'm not a woman --
7 it doesn't matter very much. I know when I had
8 to go to the store to buy something -- it wouldn't
9 matter what it was, as long as it was in a glass
10 container -- you got something back for it, 5¢ or
11 10¢. I'm talking about the 30's now and at that
12 time it was quite a bit of money. You go to the
13 store and buy a glass of jam or whatever and you
14 just throw it away. They won't even take it back.
15 It costs quite a bit to produce this stuff, but
16 they won't pay a cent for it now. If they're
17 going to charge 25¢ -- I'm not talking about 5¢
18 because it is hardly worthwhile no more. If you
19 pay 25¢ you are going to bring it back. It is not
20 too much good to them, but if you have to do it
21 for nothing, it is ^{not} too much good. Isn't that true?

22 THE WITNESS: Yes.

23 MR. VAN DIEPEN: It costs too much
24 money you say to separate the steel. So far ---

25 THE WITNESS: I said the separation
26 of the steel -- the steel company can't use steel
27 mixed up with paper and stuff. The separation
28 equipment they have right now doesn't eliminate
29 those waste products yet. They are still working
30 on it to get the bugs out of it but at present that



1 is the situation.

2 MR. VAN DIEPEN: You are losing
3 money on recycling steel today. That is what it
4 comes down to. It doesn't matter if you are going
5 to run out of steel after a few years or you're
6 going to run out of oil or anything at all. It is
7 an economical site now and the City of London is
8 going to lose money when it recycles.

9 THE WITNESS: I guess Westminster
10 Township will lose money, Toronto is going to lose
11 money and everybody else but, of course, the majority
12 of the scrap metal now is salvage. Ten or 15 years
13 ago people didn't bother taking a car into John
14 Zubeck. They drove it over a ravine and it lay
15 there. Now they don't do that. The City of London
16 do subsidize the old abandoned cars and they pay
17 for them and the City of London collect them for
18 John Zubeck to take them. This scrap metal doesn't
19 go to waste and doesn't lie in somebody's field and
20 rot. In addition to that, it keeps the neighbour-
21 hood clean.

22 MR. VAN DIEPEN: When I came to the
23 mike here, I was talking about the economical side.
24 If you built an incinerator for the City of London,
25 it would cost \$10 a ton to get rid of the garbage?

26 THE CHAIRMAN: I think maybe we are
27 getting a bit repetitious here.

28 MR. VAN DIEPEN: I'm coming to it.

29 What I wanted to say was that if it
30 cost more to get rid of the garbage, they are going



1 to take another look at recycling.

2 THE CHAIRMAN: I think there is a
3 task force now looking into the disposal of solid
4 waste. This is under investigation. I think you
5 made your point.

6 MR. VAN DIEPEN: That is all I was
7 trying to do, sir, is make my point. As long as I
8 got that done, I am satisfied.

9 I got still another question I think.
10 The first time I was here I was talking democratic. I was
11 listening to Bill Brady this morning. Bill was
12 talking about the city was offering so much, for
13 Westminster Township it would be beautiful to look
14 at the fill site. He says people didn't believe
15 him, everything he said. He still said he had a
16 sneaky idea that the City of London was going to
17 get what it wanted. I couldn't understand that
18 very well, so I listened to him when I milked the
19 cows this morning.

20 THE CHAIRMAN: I think ---

21 MR. PLAXTON: I think that Mr. Van
22 Diepen ---

23 MR. VAN DIEPEN: I wasn't finished
24 yet.

25 MR. PLAXTON: I would like to make a
26 comment. Mr. Brady hasn't had the benefit of the
27 evidence here. I think Mr. Brady is not the court
28 or jurisdiction or has any control over the situation.
29 I think my friend has been here for the whole hearing
30 and he has heard the evidence and he can make his



1 judgments based on the evidence. I frankly think
2 that it's quite irrelevant in your referring to
3 some other person who may set himself up as being
4 beyond this Board, but the evidence is going into
5 this Board and if Mr. Brady or Mr. Van Diepen have
6 concerns, then they should base them upon the
7 evidence that is placed before this Board.

8 MR. VAN DIEPEN: Can I continue, sir?

9 THE CHAIRMAN: I think if Mr. Brady
10 has anything to say to this Board, he would be
11 quite welcome to come here before the Board. To go
12 ahead and refer to the sanitary landfill site in
13 Westminster Township, I don't think what he says
14 is important.

15 MR. VAN DIEPEN: I asked this man
16 why he got the sneaky idea that the City of London
17 was still going to get their way. He said, "They
18 are stronger. They have got more money behind
19 them." I think I said, "Thank you very much, sir.
20 That is all I wanted to know." So after all there
21 is not too much democratic if the landfill site
22 goes through.

23 There is one more thing I would
24 like to ask. My wife was talking to you a couple
25 of days ago right in this room and she asked you
26 whether you would like to live next to a dump.
27 You said no, you wouldn't like it. She asked you
28 why.

29 THE WITNESS: I think it is pretty
30 obvious.



1 MR. VAN DIEPEN: It is not obvious
2 to me.

3 THE WITNESS: It is obvious to me
4 that what you have right now is farmland and, if you
5 move in a landfill site, there will be a disruption
6 to the neighbourhood. I don't think there is any
7 question about that but what we are trying to say
8 at this hearing is that we are not going to destroy
9 the environment. What we finish up with will be land
10 that can be farmed. I don't think anybody from the
11 city is trying to say that there won't be any change
12 in the neighbourhood or there won't be inconveniences
13 to the people living in the neighbourhood because
14 I know there will be.

15 MR. VAN DIEPEN: You wouldn't like
16 to live in the neighbourhood. You are talking about
17 farmland -- I have a farm ---

18 THE WITNESS: You know, I wouldn't
19 like somebody to come along and build a high rise
20 apartment behind my house. If somebody suggested
21 it, I would object. I don't think anybody from the
22 City of London had imagined or thought that the people
23 in the area of the fill site would welcome it with
24 open arms. We all knew that they would have ob-
25 jections, because there will be disruption to
26 the area. We feel our operation will be a good
27 operation of a landfill site and we will protect
28 the water courses and, when the site is finished, it
29 will be possible to go back in there and farm the
30 area once again. While the site is in operation,



1 | sure there will be disruptions to the neighbourhood.

2 | MR. VAN DIEPEN: Thank you for that
3 | answer.

4 | You told my wife that she should look
5 | at it the other way because after all the city was
6 | buying out a product.

7 | THE WITNESS: I didn't say that.

8 | MR. VAN DIEPEN: I'm 23 years married
9 | to her and she has never lied to me yet.

10 | THE WITNESS: You say your wife said I
11 | said that and I say I didn't say it and that is it/

12 | MR. VAN DIEPEN: Perhaps she mis-
13 | understood.

14 | I guess that was all I had down here.
15 | I had down here we had better roads, better smell,
16 | no rats, but I guess that is not -- there is no
17 | evidence of anything at all. Thank you, that
18 | is all for now.

66

19 | THE CHAIRMAN: Are there other
20 | questions to be asked?

21 | MR. BILL GIRLING: In your evidence
22 | yesterday you said there were no rats in the
23 | Commissioner's Road landfill site and the animals there
24 | were identified as muskrats. Who did this in-
25 | vestigation? Who did this identification?

26 | THE WITNESS: The Health Department.

27 | MR. GIRLING: Who in the Health
28 | Department did it and are they qualified to do it?

29 | THE WITNESS: Our people who are in
30 | charge of rat control and vermin control in the City



1 of London. They are the ones who are responsible.

2 MR. GIRLING: The reason I asked you
3 is you remember the evidence at the Ratepayers'
4 Association meeting ---

5 THE WITNESS: I was there.

6 MR. I gave evidence at that
7 Ratepayers' meeting that Great Horned Owls had
8 nested in this area for some years and we secure owl
9 pellets -- you may not be familiar with owl pellets
10 -- but owls kill rats and eat it and the fur and
11 bones, they digest the animal a little bit but they
12 do not separate the fur and the bones. This goes
13 down in the stomach and the stomach juices digest
14 whatever material the body needs. The owl then
15 coughs up this owl pellet and these can be picked
16 up and we did this in the area and we dissected them
17 and found from eight or nine owl pellets that 6%
18 of the food of that Great Horned Owl was rats.
19 This is proved by taking the skull and looking at
20 the feet.

21 THE WITNESS: If you remember at
22 that hearing, the Mayor of the City of London was
23 present during the hearing itself and there was
24 a great deal of talk about rats and rat sightings
25 on the site. The Mayor right at the end said,
26 "I want everybody who has sighted rats to come
27 to Mr. Robertson (that was me) to report those
28 sightings to him." At that meeting there was one
29 gentleman who came to me and said he had seen
30 rats on the site and I asked him where and when and



1 he said it was down in the southeast corner two
2 years ago. That was the only person who came up
3 to me and said that he had seen rats on the site
4 and that was two years ago.

5 MR. GIRLING: I have seen them there
6 myself.

7 THE WITNESS: If you were at the
8 meeting, why didn't you tell me?

9 MR. GIRLING: I understood you under-
10 stood that I had seen rats in the area.

11 THE WITNESS: Why didn't you come
12 and tell me?

13 MR. GIRLING: I did.

14 THE WITNESS: Were you the gentleman
15 who spoke to me?

16 MR. GIRLING: I told you before the
17 meeting ---

18 THE WITNESS: One gentleman came
19 and I think when you start talking about ---

20 MR. GIRLING: I know people who have
21 seen them in their backyards. Maybe they didn't
22 come to you.

23 THE WITNESS: If you have seen rats,
24 it should be reported to the Health Department and
25 they investigate those things. If anybody said
26 they had seen rats and if rats were seen and if
27 the rats live there then the Health Department
28 will find their burrows.

29 MR. GIRLING: At the Clarke Road
30 site you have an area for rats. I am familiar with



1 rats and their movements and I don't see whether
2 they would serve any purpose in a landfill site or
3 a garbage dump. There is lots of food for the rats.
4 What results do you have in this^rbaited area --
5 baited area, that is Warfarin?

6 THE WITNESS: Rats will not go to
7 Warfarin, if they can find lots of other food.
8 The thing is in a landfill site there is not lots
9 of other food. The food the rats would live on is
10 covered up each day and compacted.

11 MR. GIRLING: Come on now. Rats
12 can burrow through that stuff.

13 THE WITNESS: If they burrow down through
14 there, there are burrows and there are no burrows in a
15 landfill site.

16 MR. GIRLING: Come on now!

17 A SPECTATOR: For shame!

18 MR. GIRLING: This is hearsay coming
19 out now.

20 THE CHAIRMAN: Order, please!
21 We can't have two people talking at the same time.
22 There is a reporter -- I think you are suggesting
23 there are rats in certain landfill sites?

24 MR. GIRLING: That is right, sir.
25 One other thing. I have been up to the landfill
26 site on Commissioner's Road and I knew it when it
27 first started and I sort of grew up with it and
28 Mr. Rowntree can bear this out that we appeared
29 in his office many years ago objecting to this
30 landfill site and we were a voice crying in the



1 wilderness. When I say "us", this is the local
2 Conservation Society of the City of London and
3 having objected to this site, I guess -- you said
4 some sort of vermin control was built into this
5 landfill site. Was it a controlled site?

6 THE WITNESS: Which one?

7 MR. Commissioner's Road.

8 THE WITNESS: No. It wasn't a
9 designed site, designed by engineers with leachate
10 drains and so forth. It was a landfill site and,
11 as defined in those days, it was a dump. A dump
12 where the garbage is dumped and left, exposed.
13 The Commissioner's Road landfill site all the time
14 I have been with the city the garbage has been
15 covered at the end of each day's operation and
16 that is regarded as a landfill site, but it was not
17 a landfill site; it was not designed by engineers.

18 MR. GIRLING: What protection did
19 you afford ---

20 THE CHAIRMAN: We are discussing
21 a proposed site and how it is going to be handled.
22 Are you objecting to the proposed new site?

23 MR. GIRLING: That is right.

24 MR. PLAXTON: Do you have a suggest-
25 ion about vermin control? You seem to know a lot
26 about rats. Do you have a constructive suggestion
27 about how rats should be handled, what bait should
28 be put out?

29 MR. WRIGHT: Much has been said that
30 there are no rats and he said there are rats on this



1 other site. There are a lot of things -- certainly
2 if you want a suggestion that would be helpful, I
3 don't think this gentleman should be stopped from
4 suggesting that Mr. Robertson's testimony as to
5 existing rat conditions in the present site ---

6 THE CHAIRMAN: I get the point that
7 presumably there are no rats on these other sites.
8 Whether there are or not, I don't know anything
9 about it at all.

10 MR. WRIGHT: I just didn't want this
11 gentleman to be stifled.

12 THE CHAIRMAN: Oh, no.

13 MR. GIRLING: On the new site I
14 think it would probably be handled the way the
15 Clarke Road site is now handled and I don't think
16 it is now handled properly.

17 Thank you.

18 MISS BECKY McDOUGALL: Could you
19 tell me at what rate the farmland in North America
20 is decreasing every year?

21 THE WITNESS: No.

22 MISS McDOUGALL: It is 42 acres every
23 hour. Yet you insist upon taking the farmland that
24 is farmland. It is not useless land as some people
25 have said, so why don't you take land that is useless?
26 Why take this site when it is farmland?

27 THE WITNESS: The proposal is to re-
28 turn it to farmland.

29 MISS McDOUGALL: But you are taking
30 it for 20 years and the farmland is scarce and is going



1 very quickly.

2 THE WITNESS: We are not taking 400
3 acres for 20 years. I think Professor Webber
4 explained that and I think possibly he could
5 perhaps elaborate on it, but the proposal is to
6 take farmland and return it to farmland.

7 MISS McDOUGALL: Thank you.

8 MR. VANNESTE: I have a few questions
9 and I will try to be short, Mr. Robertson.

10 Mr. Robertson, you seem to have
11 scaled down the amount of machinery which will be
12 used at that site. Listening to your testimony
13 here yesterday and this morning, you are only
14 talking about two bulldozers and a scraper and
15 things like this. You must know that if you are
16 going to excavate an acre and a half a month eight
17 feet deep and pile it some place and then put it
18 back on, that will take a lot of machinery to do this.
19 You have never mentioned this.

20 THE WITNESS: We have two 75 ton
21 bulldozers and a scraper on the site and two front-
22 end loaders on the site. You are talking about
23 material -- this is not something you go out and
24 dig a hole -- what we do is the scraper is a daily
25 operation and it is a continuous operation, Putting
26 on the cover material from a particular area that
27 is excavated and bringing it to the working area.
28 If there is any difficulty, we have the two heavy
29 bulldozers which are more than sufficient to handle
30 the garbage and in addition to that, we have two



1 front-end loaders. If we have difficulty, we can
2 be assisted moving the garbage and one of the D-8's
3 can go over if there is difficulty.

4 MR. VANNESTE: I still believe
5 you do not have enough equipment to do the job.

6 THE WITNESS: If your contention
7 is right, we have heavy equipment in the City of
8 London.

9 MR. VANNESTE: You need a bulldozer
10 and a scraper to push.

11 THE WITNESS: We have a bulldozer
12 and a scraper.

13 MR. VANNESTE: In your opinion do
14 you believe one entrance to the site is practical?

15 THE WITNESS: Yes.

16 MR. VANNESTE: In my opinion I don't
17 think so, because you have traffic coming all one
18 way in and one way out. What about the traffic
19 trying to proceed west on Concession Road 7? In
20 my opinion you should have your entrance and exit
21 separate. At least a 500 foot gap to see the
22 traffic going west can get out and not get caught
23 in the traffic except coming out.

24 THE WITNESS: That could be a valid
25 suggestion. I would think that it could be referred
26 to the traffic boys.

27 MR. VANNESTE: I agree with you
28 that you are not traffic co-ordinator, but that
29 is my thought that one exit is not enough.

30 Thanks very much.



1 THE CHAIRMAN: Any other questions
2 for this witness?

3 MR. PLAXTON: I have one or two.

4 RE-EXAMINATION BY MR. PLAXTON:

5 Q. Where does the Township of
6 Westminster dispose of its garbage at the present
7 time?

8 A. As far as I know, most of it
9 probably goes to the landfill site in South-
10 wold Township.

11 Q. So that it does not get
12 disposed of in the township itself?

13 A. No. it is

14 Q. Do you know whether/Mr. McKay
15 who is contracting for the township for this?

16 A. I believe Mr. McKay does
17 contract for garbage removal in Westminster
18 Township. There may be others.

19 Q. And you say this site is in
20 the Township of Southwold?

21 A. Southwold.

22 Q. Does that site -- where is it
23 located?

24 A. It is pretty well on the out-
25 skirts of ---

26 Q. Is it near South Kettle Creek?

27 A. I don't know. Somebody else
28 could answer that question.

29 MR. MacPHERSON: Mr. Plaxton has
30 asked you where this landfill site is located. I



1 don't think you have ever been there.

2 THE WITNESS: No, I haven't.

3 MR. MacPHERSON: I know for sure it
4 is not in the Kettle Creek watershed.

5 THE WITNESS: I said I wasn't sure
6 of that. I haven't been to the site.

7 MR. MacPHERSON: As far as I know it
8 is in the lower Thames watershed.

9 THE WITNESS: That could be.

10 MR. MacPHERSON: There has been a lot
11 of talk, the city has played up a lot of talk about
12 the township's garbage going out of the township.
13 Did you ever think of where the City of St. Thomas'
14 garbage goes, the Armitage garbage goes, Town of
15 Aylmer? I could go on and on and on.

16 THE WITNESS: In other words, it is
17 a pretty common practice for one municipality to
18 take their garbage and dump it in another municipality.

19 MR. MacPHERSON: You admit this?

20 THE WITNESS: You are telling me.
21 You said it's a very common practice ---

22 MR. MacPHERSON: It seems to me that
23 Westminster Township are the culprits because their
24 garbage is going elsewhere.

25 THE WITNESS: I was asked a question and
26 I answered a question.

27 MR. MacPHERSON: What Mr. Plaxton is
28 referring to, Westminster Township are taking their
29 garbage elsewhere, so they are the culprits in the
30 crime. At the time we made our contract with Mr.



1 McKay, I understand Dorchester Township's garbage
2 was going to Woodstock. There have been great
3 write ups in the paper to the effect that Mr. Roze
4 went on a tour with the Environment Minister when
5 they toured the garbage dumps and said Dorchester
6 Township had a neat operation. The operation is
7 exactly the same, but nobody has ever said we had
8 a neat operation. It bothers me and I think this
9 is getting thrown at the township all the time be-
10 cause we are doing the same thing as other townships
11 are doing and yet we are getting kicks about it.

12 THE CHAIRMAN: Thank you.

13 --- (Applause)

14 MR. WRIGHT: May I ask Mr. MacPherson
15 a question?

16 Is it in your opinion the usual
17 practice for the various municipalities when they
18 are taking their disposal, whatever it is, to other
19 municipalities, do they usually have the consent
20 or approval of the other municipality or their
21 concurrence?

22 MR. MacPHERSON: I can't really say
23 that it was because we are not dealing with a
24 private individual like Mr. McKay. He has had
25 to have the site near Kettle Creek for some years
26 which he has had to close down because of pollution
27 and he has moved to this site in Southwold
28 Township which has gone through all the channels
29 of the Environment/and I suppose it is number one,
30 but my point is that the problem, the whole situation



1 is what to do. We had our own site in ^{the} township
2 and we were forced to close it down. We were
3 forced to close it down because of the seepage
4 that was supposed to be going into Dingman Creek.
5 I guess I can't answer that question.

6 Thank you.

7 THE CHAIRMAN: Thank you.

8 MR. WRIGHT: I would like to speak
9 to the Board before the next witness is called.

10 MR. PLAXTON: You want to speak to
11 the point he made ---

12 MR. WRIGHT: I would like to talk
13 to you briefly about a matter.

14 MR. PLAXTON: Why don't we adjourn
15 for five or ten minutes?

16 MR. WRIGHT: That will serve the
17 purpose.

18 THE CHAIRMAN: I think this is an
19 appropriate time.

20 --- Recess

21 --- Upon resuming

22 ALAM KEITH ROWNTREE, called:

23 THE CHAIRMAN: Order, please.

24 EXAMINATION BY MR. PLAXTON:

25 Q. Mr. Rowntree, are you a resident
26 of the City of London?

27 A. Yes, I am.

28 Q. In what capacity are you
29 employed by the City of London?

30 A. I am the City Engineer of the



1 City of London and have been City Engineer for
2 approximately 15 years.

3 Q. Can you state for the Board's
4 benefit your educational background and experience
5 in the field of engineering generally?

6 A. I am a graduate of the University
7 of Toronto in the course of civil engineering and
8 my employment has been with Canadian Pacific
9 Railway and the City of London.

10 Q. How many years with the city?

11 A. Approximately 15.

12 Q. And the previous witness was
13 Mr. Robertson. Is Mr. Robertson an engineer under
14 you in the Engineering Department of the city?

15 A. Yes, he is.

16 Q. In that relation do you have
17 the ultimate responsibility within the Civil Service,
18 if I may put it that way, of the City of London
19 for the management of waste disposal for the City
20 of London?

21 A. Yes, that is true, among other
22 things.

23 Q. Reference has been made to
24 the standards of operation of the city and those
25 of the province. I would like to ask you specific-
26 ally about that part of the standards of operation
27 of the city dealing with the guarantee of the
28 continued supply of potable water throughout the
29 period of the landfill site use and beyond. How
30 does this guarantee in fact -- how is it envisaged



1 that it will work in practice?

2 A. The guarantee that you are
3 speaking of is included in the standards of operation
4 that have been approved by our council of the City
5 of London and it indicates that a supply of water
6 will be maintained, notwithstanding our consultant
7 has spent considerable time and effort to ensure
8 that we don't have any contamination problems with
9 the water. However, if such an occurrence happens,
10 I can think of two ways of handling the problem.

11 The first that comes to my mind is we mentioned
12 here before possible trucking in of water by tank
13 truck and that would probably be on a short term
14 basis to take care of a short term problem. I
15 would say that if we did such a thing, we would
16 in all likelihood provide a container of some type
17 to hold that water once it is delivered. I think
18 that was brought up by one of the citizens here
19 in this area.

20 The second way that I foresee might
21 be improvement of the well if there is a problem
22 where there is a deficiency and the city would be
23 prepared to deepen those wells or drill to a greater
24 depth than they are at present and the next and
25 last means of providing water that I can think of
26 would be the extension of the water mains in the
27 area. These water mains were initially here to
28 provide water for the City of London and the water
29 in some cases is being fed back in the opposite
30 direction now that the water field has been abandoned.



1 Q. You are referring to the mains
2 of the Public Utilities Commission of the City of
3 London?

4 A. Yes.

5 Q. Which are located already in
6 the Township of Westminster?

7 A. Yes. The PUC has indicated
8 to me that they are prepared, upon request of the
9 city to extend these mains and, of course, at the
10 city's request and expense and I am also told by
11 the PUC that they have no objection to this site
12 being used.

13 MR. PLAXTON: In that connection I
14 have, Mr. Chairman, a letter addressed to the
15 Engineering Department, to Mr. Schwartzel of the
16 Department.

17 Q. Who is Mr. Schwartzel?

18 A. Mr. Schwartzel was the Assistant
19 City Engineer to me in my department.

20 MR. PLAXTON: I would like to enter
21 this in evidence, Mr. Chairman.

22 Q. Is this the letter of approval
23 that you have referred to in your evidence?

24 A. Yes.

25 Q. From the Public Utilities
26 Commission.

27 A. Yes.

28 THE CHAIRMAN: Do you want to read
the letter?

29 MR. PLAXTON: Yes. Would you care to
30 have me read it? It is addressed to the City Engineer's



1 Department and refers to -- it says:

2 "Subsequent to the recent meeting, I
3 have had an opportunity to assess our
4 position regarding the above subject.
5 The following is respectfully submitted.

6 You have Mr. Furanna's letter dated
7 September 28, 1972 indicating that the
8 Commission will abandon the White Oak
9 Well field as a water supply point. This
10 same letter refers to negotiation be-
11 tween City Council and the Commission
12 regarding cost.

13 Noting that the wellfield is to be
14 abandoned, the Public Utilities Commis-
15 sion has no objection to site #W12A being
16 used for sanitary landfill purposes.

17 Our Director of Parks, Mr. M. Chapman,
18 has been consulted regarding the develop-
19 ment of the area after landfilling is
20 complete. Mr. Chapman states that the
21 success of landscaping including relatively
22 small tree stock will depend entirely on
23 the amount of cover placed above the
24 sanitary landfill. Provided that this
25 cover is adequate, the fill site can be
26 landscaped without difficulty."

27 The letter is signed by Mr. T. Gagen, Assistant
28 General Manager of the Public Utilities Commission and
29 is dated July 4th, 1973.

30 Q. Mr. Rowntree, do you take that



1 letter then to be the approval to which you referred
2 in your previous evidence?

3 A. Yes, I do.

4 Q. Mr. Rowntree the standards of
5 operation of the City of London refer to the policy
6 which you intend to adopt of monitoring the quality
7 on a continuous basis throughout the life of the
8 landfill site of water in the area. Would you des-
9 cribe for the Board, please, in more detail how this
10 monitoring in fact will work?

11 A. The monitoring will be done by
12 my own department in the first step. That is,
13 representatives of my department will take the
14 samples. These samples would be taken every two
15 weeks and they would be taken from wells on the site,
16 they would be taken from existing bore holes which
17 we have discussed previously in this hearing, they
18 would be taken from leachate drains and, fourthly,
19 they would be taken from those springs or water
20 courses emanating from the site.

21 Q. In connection with the bore
22 holes, you are referring to the five bore holes
23 that were done by your consultants?

24 A. Yes.

25 Q. Would you continue? What would
26 be done with the samples? Where would they be taken?

27 A. We have a lab which is the
28 property of the City of London and there is a lab
29 in the Department of the M.O.H. There is a lab in
30 the Department of the Environment and our consultant,



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1 James F. MacLaren, has a lab. There are various
2 types of tests that are taken and these four would
3 test individually for certain qualities of water.
4 Then a composite report of all the findings would
5 be available to my department and to the Ministry
6 of the Environment.

7 Q. Yes. Can you indicate what
8 tests are taken in connection with the water and
9 what are they testing for?

10 A. Some of the tests that would
11 be taken are the PH values, turbidity, conductivity,
12 dissolved solids, biochemical oxygen, phenol,
13 chloride, hardness, ammonia, nitrate, phosphorous,
14 soluble phosphorous, sodium, potassium, iron and
15 manganese, coliform, and I don't think that is a
16 complete list. There are at least two others,
17 two other tests that are taken. However, that
18 would give the Board an idea of the extent of the
19 testing that the City of London wishes to carry out.
20 Any other testing that the Ministry of the Environ-
21 ment want or would direct us to carry out.

22 Q. Yes. Mr. Rowntree, I would
23 like to discuss at this stage -- is that all you
24 wish to say in connection with the practice of
25 monitoring water? Is there anything else?

26 A. No, I think that is all.

27 Q. Thank you. Let's discuss at
28 this stage some of the undertakings that were
29 dealt with earlier in the course of this lengthy
30 hearing. Dealing with the highway improvements,



1 this would include improvements to the intersection
2 at the 7th Concession Road and Wellington Road and
3 leading in a westerly direction to the entrance to
4 the site along Concession 7. Can you indicate
5 whether this improvement or these improvements would
6 be undertaken at the expense of the city?

7 A. Firstly, I would like to draw
8 the attention to the Hearing Board that while these
9 roads are outside the City of London and any improve-
10 ments that would be taken, naturally, would have to
11 be with the Road Authority's approval, namely,
12 Westminster Township and the Suburban Roads Commis-
13 sion. Wellington Road is under the Suburban Roads
14 and 7th Concession is under Westminster Township.
15 The City of London would be prepared to carry out
16 the paving of the 7th Concession from Wellington
17 Road westward to the entrance of the site and pro-
18 vide throat treatment to the 7th Concession on both
19 sides of Wellington all at its own expense. We are
20 prepared to pay also for what I call a local slip-
21 off on the Wellington Road approaching the site,
22 the 7th Concession, and, if need be, another lane
23 south of the site, the 7th Concession. A duplication
24 on the west side of Wellington Road which would en-
25 able trucks to get into that lane to make a right-
26 hand turn into Concession 7 Road and also a similar
27 slip-off, as it were, to get onto Wellington Road
28 from the 7th Concession.

29 Q. Dealing with this matter, could
30 we also include the lights at the intersection?



1 A. Certainly my recommendation,
2 in the light of Mr. Morgan's indication that there
3 is a warrant, that the City of London must be pre-
4 pared to provide, if necessary, the funding or
5 financing for this light on Wellington Road. As I
6 said before, it would have to meet the approval of
7 the Suburban Roads Commission.

8 Q. Then to answer the question
9 really in a short way, the city has carried in its
10 budget, either directly or through a contingency
11 amount, sufficient amounts of money in your opinion
12 to carry the cost of all of these improvements?

13 A. Yes.

14 Q. We are dealing again now with
15 the city's avowed policy set out in the regulations
16 of council with regard to the operation of landfill
17 sites. Referring to that policy, you are aware as
18 well, of course, of the regulations under the former
19 Waste Management Act which are now under the Environ-
20 mental Protection Act?

21 A. Yes.

22 Q. You are aware as well of the fact
23 that the certificate of approval which is being sought
24 here is one which has to be renewed annually?

25 A. Yes, I am.

26 Q. Not only during the year must
27 you comply with the requirements of the department,
28 but that the certificate itself is subject to re-
29 view by the department on an annual basis?

30 A. Yes, that is my understanding.



1 Q. What is the intention of the
2 city with respect to these operating standards we
3 have referred to?

4 A. As far as I am concerned in
5 running my department and in particular the waste
6 management of this site, I wish to adhere to -- it
7 is my intention to adhere to the regulations as
8 closely as possible and it is I think the objective,
9 my objective and I think I can say this of the city
10 council, that we want to run this site as a model
11 site for the rest of Canada.

12 SPECTATORS: Oh!

13 THE WITNESS: We are sincere in
14 our intention to carry out a good site operation
15 here. (laughter)

16 MR. PLAXTON: Q. Would you in the
17 course of the operation of the site, if the
18 Township of Westminster Council felt it appropriate
19 and wanted to use the site for its purposes, would
20 you as a city entertain that application favourably?

21 A. Most certainly.

22 Q. And indeed was any effort made
23 to secure the agreement of the township to such a
24 co-ordinated use of the site?

25 A. Yes. There were at least two
26 meetings that I was present at where members of our
27 council met with the members of the council of the
28 Township of Westminster and during the course of
29 those two meetings it was quite clearly indicated
30 that the Township of Westminster would be free to use



1 our site for the disposal of solid waste emanating
2 from Westminster Township. I might just point out
3 too that there is a charge within the city and this
4 charge is for individual loads from private concerns
5 and this charge, although it doesn't affect the
6 municipal collection and it wouldn't affect the
7 municipal collection in Westminster Township, but
8 the charges we make in the city to individual would
9 apply equally to the citizens and commercial users
10 of the site. The operation, as far as the waste
11 from the municipal collection of Westminster, is concerned,
12 would be free of charge.

13 Q. You have referred to negotiat-
14 ions with the township. Perhaps you could enlarge
15 on that?

16 A. Yes. We had two meetings
17 plus we had meetings where certain officials of
18 the township and the city, including myself,
19 actually toured the site, the Concession Road
20 and the side road and our meetings were amicable.
21 They were straight forward. We placed the problem
22 before them and there was a degree of co-operation.
23 There were instances where the township officials
24 gave some constructive criticism and suggestions.
25 These meetings were carried out in the spirit of
26 co-operation.

27 Q. And ultimately the township
28 did pass the resolution which has been referred to
29 in previous evidence?

30 A. Yes.



1 Q. I believe it was passed early
2 in April of this year?

3 A. I don't have the date, but I
4 am aware of both resolutions.

5 Q. Mr. Rowntree, I would like you
6 to discuss the various proposals, if any, for improve-
7 ment of waste management now being considered or
8 explored by the City of London and in this connection
9 would you firstly comment on what improvements, if
10 any, are now in effect or being considered in connect-
11 ion with special collection techniques?

12 A. The City of London has a
13 committee they call the Environmental Protective
14 Committee and this committee, together with other
15 members of council, have been concerned with the
16 separation of waste paper and we are considering
17 at the present moment ways of separating waste
18 paper at the source for recycling. Separation of
19 glass has been the subject of discussion in our
20 council and committee meetings. Pollution Probe
21 here in London has been collecting waste glass
22 for at least a year and our fire department halls
23 have been the collection points. We have co-
24 operated with Pollution Probe in even supplying a
25 vehicle for transportation of glass and at one time
26 the City of London provided a city owned building
27 for compaction and collection of glass. The glass
28 picture is also the subject of consideration at the
29 moment where some 250 homes are being considered
30 for special collection and separated collection of



1 waste glass for recycling

2 In the matter of containers, the
3 city has co-operated with provincial consultants,
4 a provincially appointed consultant for the study
5 of containers where we have assisted in the evaluat-
6 ion of the volumes emanating from the city and with
7 respect to packaging our council appointed a committee
8 a subcommittee to consider this whole matter and
9 they made recommendations to council and to the
10 provincial task force on containers.

11 Q. What have you as a city
12 considered with respect to solid waste disposal
13 techniques beyond those we have discussed? I
14 take it there are methods which are of a broader
15 and more general nature. I'm wondering if you could
16 discuss these?

17 A. Well, the first item and I
18 think perhaps the most important is the matter of
19 recycling. Our council, on the advice of the en-
20 gineering department and on the advice of our
21 consultant, has suggested that the real way to
22 tackle this problem is to tackle the fundamental
23 problem of secondary markets for this reclaimed
24 material. In this respect we assisted in prepar-
25 ing terms of reference for the Federal Government's
26 Department of the Environment, Environment Canada,
27 and these terms of reference are mainly directed
28 to investigating what secondary markets there
29 might be throughout Canada. We think for this re-
30 claimed material that London is not an island unto



1 itself, as far as the markets are concerned. We
2 from coast to coast.
3 depend on the markets/ The problem is first,in
4 our opinion,establishing what markets can be depended
upon.

5 The city has co-operated in this past
6 year with Professor Knobbs and Professor Beatty
7 of the University of Western Ontario in a study
8 of solid waste disposal and this study of the two
9 professors has involved hydrasposal and I am
10 given to understand from the report that the cost
11 of this means of disposal is in the order of 12
12 to \$14 as compared with our costs estimated be-
13 tween five and \$6 for landfill.

14 There is a company in London that
15 is known as City Heating Company Limited and this
16 company provides central heating in the downtown
17 core. Discussions have taken place over the past
18 year of how we could perhaps use garbage as a fuel
19 for providing central heat. Despite the fact that
20 these discussions have not led to any concrete re-
21 commendations or action, the door is still open to
22 investigate the use of this material as a source of
23 heat.

24 There is also a pilot plant that I
25 am given to understand the Ministry of the Environ-
26 ment is prepared to establish at its cost, I presume,
27 in Ontario for separation and recycling. The City
28 of London on July the 3rd communicated with that
29 department to the effect that we wanted it here in
30 London and it is a pilot plant, an experimental plant.



1 We have no idea when any decision might be made.

2 We don't have the details of the construction or
3 design, but I would certainly presume that there
4 has been no design carried out on such a plant.

5 The Chamber of Commerce in London
6 has encouraged the reuse of materials that would
7 ordinarily have been wasted into the city landfill
8 operation. I am given to understand that one of them
9 as a start has been foundry sands which are being
10 used by other industries and this just leads to a
11 smaller volume going into the landfill site which
12 in our opinion is a good objective in itself.

13 As far as the City of London is
14 concerned in adopting the MacLaren report of
15 October, 1970, it adopted the principle of
16 reevaluating the volumes of solid waste on a 5-year
17 basis. This, I think I can say is the policy of
18 the City of London. In another five years the
19 volume MacLaren's reported will be reviewed in
20 detail, notwithstanding the fact that my own depart-
21 ment is reviewing them currently on a day to day
22 and week to week basis. From my standpoint as
23 City Engineer, I propose to recommend to council
24 that there be a 5-year review of all of the 1970
25 MacLaren report, inasmuch as such review will bring
26 forth the latest in disposal methods that is avail-
27 able throughout the world.

28 Q. Do you care to comment on the
29 concept of transfer stations? Have you considered
30 that at all as a city?



1 A. Well, I would say that transfer
2 stations are not beyond our ^{thinking.} I have seen trans-
3 fer stations in other cities. They are unique.
4 They serve a good purpose. In our situation we
5 have developed -- we do not think it is immediately
6 necessary to go into a transfer station. However,
7 this is a subject that is open to review. There
8 has been at least one suggestion to my department
9 from a private individual that perhaps his operation
10 and our operation could be melded in some way, shape
11 or form by the use of transfer stations. This doesn't
12 eliminate the need for site W-12A, but I take it this
13 suggestion of this private operator is to enable some
14 separation to take place at a transfer station.

15 Q. To what extent are there
16 provincial funds now available in connection with
17 the subject of waste management generally?

18 A. Provincial funds that I am
19 aware of are only available for engineering studies
20 and that would exclude construction and so on of
21 a site, but I presume that these studies, the
22 funding by the province would include engineering
23 studies of various municipalities wishing to in-
24 vestigate what is the best means of disposal for
25 their individual cities.

26 Q. Are you aware of the stated
27 governmental policy with respect to the hope that
28 provisions will be made for further funding as
29 viable ideas and techniques are brought forward?

30 A. I am only aware of that insofar as



1 it might affect the pilot plant that I mentioned and
2 I presume the pilot plant, wherever it is, would be
3 built with provincial funds.

4 Q. Yes. I would ask you, even
5 assuming that some new system or method is adopted,
6 does this fact eliminate the need for a sanitary
7 landfill? That is, based on current knowledge?

8 A. To the best of my knowledge
9 there is no disposal system available which will
10 completely eliminate the need for sanitary landfill.

11 Q. Assuming that in future the
12 city was able to introduce, let us say, incineration
13 or compacting or recycling, what impact would that
14 have on the sanitary landfill handling the operation?

15 A. I think the only impact of such
16 other means of disposal would be to reduce the
17 volumes going into a sanitary landfill and that
18 leads to perhaps greater use by an area involving
19 more people than, say, we are talking about the
20 City of London or extenuates the life of the site.

21 Q. Mr. Rowntree, have you had
22 correspondence from the Upper Thames River Conserv-
23 ation Authority?

24 A. There has been a contact by
25 my department with the Upper Thames River Conserv-
26 ation Authority.

27 Q. I have produced a letter dated
28 the 13th of July from the Upper Thames River Conserv-
29 ation Authority to the City Engineers Department.
30 Would you care to read that letter, please?



1 A. Yes. This letter is dated
2 the 13th of July, 1973, addressed to the City
3 Engineers Department, London, Ontario from the
4 Upper Thames River Conservation Authority. It is
5 written to the attention of Mr. G. R. Robertson,
6 Sanitation Director:

7 "Dear Sir:

8 With regard to the landfill site pro-
9 posed for Westminster Township, it is my
10 opinion that from the Authority's position,
11 this type of project is quite suitable in
12 that the land utilized can be returned to
13 agricultural purposes once the prescribed
14 amount of refuse has been buried.

15 At our last meeting I was quite en-
16 lightened by Mr. Schwartzel's description
17 of the manner in which the landfill site
18 is to be constructed so as to eliminate
19 odours and insects and was particularly
20 impressed by the drainage system to be
21 employed to prevent any polluted run-off
22 from entering the water table or drainage
23 areas.

24 Very truly yours,

25 UPPER THAMES RIVER CONSERVATION AUTHORITY."

26 It is signed by Murray T. Kinniburgh, Resources
27 and Technical Supervisor.

28 Q. Mr. Rowntree, I would like now
29 to have you refer as well to the Exhibit behind you
30 and in the course of doing so indicate to the Board



1 the nature of the time limitations on the city with
2 respect to the development of the new site and the
3 current life expectancy of the existing southeast
4 site of the city at Clarke Side Road.

5 A. Before answering that question,
6 I would like to acquaint this Board with the history
7 of what has happened on the subject to date.

8 In the past we had what you might
9 call a hand to mouth operation. We didn't have a
10 long term plan for the disposal of solid waste in
11 the City of London. It actually can be said they
12 were going from crisis to crisis and in 1968 my
13 department became concerned about this situation and
14 between the fall of 1968 and November of 1969, we
15 concerned ourselves with preparing terms of refer-
16 ence for an engineering study and considering the
17 appointment of consultants. What we were after was
18 a study which would study all of the known types of
19 disposal and recommend as to the best type suited
20 for the City of London. I think it is important
21 that this Board be aware that we didn't confine this
22 study to landfill. We did go into landfill. We
23 did go -- our consultants did go into landfill
24 matters. The consultant concerned himself with the
25 matter of incineration and in that respect the cost
26 of incineration is approximately twice the cost of
27 the landfill operation.

28 In 1969, in November, the council
29 of the city appointed James F. MacLaren to
30 carry out a study and prepare a report and this report



70

1 was completed in October of 1970. As your Board
2 has been advised, this report investigated initially
3 46 different sites. Subsequently it reduced that to
4 23 sites. Subsequently and after the council had
5 received the report, had studied some sites, ultimately,
6 with the intention of selecting six sites, the in-
7 tention was to investigate those in a more detailed
8 manner than we had investigated the other 46 sites.

9 The report was adopted by the city
10 council in May of 1971. Subsequent to the adoption
11 of the report the sites were investigated and those
12 that fell short of being a satisfactory site were
13 discarded and the recommendation in the report was
14 for the establishment of site W-12 in Westminster
15 Township. This satisfied the needs from the stand-
16 point of a long term program for the disposal of
17 solid waste for the city. We also were thinking
18 in terms of capacity for Westminster Township.

19 Well then, in the fall of 1972 it
20 was determined by soil and water consultants that
21 site W-12 was not satisfactory because of the sub-
22 surface conditions. The site was rejected. We
23 carried out further soil and water tests and
24 determined that site W-12 nearby was a satisfactory,
25 optimum site.

26 Q. Site W-12A?

27 A. Pardon me, site W-12A, the
28 one we are talking about in this hearing. So, we
29 really in a sense lost six months from last year
30 into this year having to switch sites. Of course, our



1 concern in switching the site was from a standpoint
2 of ground water pollution and that is why we changed.
3 We did change to site W-12A.

4 We found it to be a satisfactory
5 site, so this brings us up to date to this hearing.
6 I point this out because of the time required to
7 carry these preliminary investigations out. I
8 would presume that the same time limits, time
9 requirements would be required on any site that
10 we were thinking about or any other method that
11 we were thinking about.

12 I would like to now refer to the
13 chart. Mr. Chairman, this is a fairly simple sort
14 of chart or representation. I suppose anybody who
15 can read a thermometer can understand it. The top
16 line -- can the Board see this?

17 THE CHAIRMAN: Yes.

18 THE WITNESS: The top line is the life
19 of the existing city landfill site. This is the
20 site on Clarke Side Road that we refer to as the
21 southeast landfill site.

22 This (indicating) bar is across the
23 time indicated at the bottom. This indicates that
24 this site will be completed about, on or about
25 February 1st, 1975. This is only after the Depart-
26 ment of the Environment has approved our request
27 for extension of the site. What that really
28 means is obvious; as of February 1st, 1975, unless
29 there are certain conditions we are unaware of,
30 we have to have another site. It is as simple as



1 that.

2 On the next line we have allowed
3 for this hearing approximately one month. Assuming
4 that we progress beyond this area, the next step
5 is the Ontario Municipal Board hearing. This has
6 been indicated as about September 15th or about a
7 month, of this year. Presuming that the Ontario
8 Municipal Board approves of this site, our next
9 step is to acquire the property. We have allowed
10 a full year to acquire this property and we think
11 that this is perhaps a little conservative as a
12 period to acquire the property. We are hopeful
13 it can be acquired in the period of one year.

14 The acquisition of property is
15 slated to be completed in one year, about October
16 of 1974, next year. After we have acquired the
17 property or the bulk of the property, our next
18 step would be to prepare the landfill site which
19 involves the construction of roads and the pre-
20 paration of the site where the material is to be
21 deposited. It includes the drainage and all the
22 items we have mentioned in this hearing.

23 The complete preparation of the
24 site (indicating) this is the point at the end of
25 this bar which is roughly the 1st of March, 1975.
26 However, we feel that we can for a month's differ-
27 ence, start the site as of February 1st, 1975,
28 so in resumé of this chart the site that we have
29 is going to be finished February 1st, 1975. We
30 know of no alternatives to go ahead with any alter-



1 native preparation of a site beyond the termination
2 of the Clarke Side Road site. That means on the
3 bottom line we have to start at a new site February
4 1st, 1975.

5 MR. PLAXTON: Q. Mr. Rowntree,
6 before you close your evidence, a suggestion has
7 been offered and your department may be aware of
8 this idea. I think it has just been considered.
9 That is that you locate the garbage containers
10 that would be near the entrance of this site as
11 well in the city at the existing landfill site of
12 the city which would^{not}/be more central for the use
13 of people within the City of London. Then to trans-
14 fer on a daily basis through city-owned vehicles
15 the contents of those containers to the subject
16 site. This would eliminate the need for a large
17 volume of traffic emanating from the city to come
18 all the way to this site but, rather, to limit
19 that traffic in the sense it would be directed to
20 go to these containers which could be located at
21 the existing site. Do you see this as being a
22 feasible proposition to implement and would your
23 department accept that as a condition of approval,
24 should it be considered -- should it be considered
25 desirable or necessary by the Board or the Executive
26 Director?

27 A. From the top of my head it
28 sounds like a logical suggestion. I think it
29 probably involves additional cost in some respect.
30 We have not studied such a proposal. I think it



1 would benefit the citizens in this manner. I would
2 not be opposed to it. I think probably the Depart-
3 ment of the Environment would have to approve it
4 before we could incorporate it, but we have an open
5 mind on it. As far as I'm concerned, we have an
6 open mind on it.

7 Q. The impact that one would fore-
8 see this could have at your existing site, for
9 example, the highest count in one 11 hour period,
10 one day in operation for light vehicles was June
11 14th, 1973, with 1,586 vehicles coming to the site.
12 I assume it is generally from the city. Is that
13 correct? Would the light vehicles arriving at your
14 existing site be generated from within the city
15 boundaries for the most part?

16 A. Oh, yes. We don't check
17 the ownership of vehicles. I think there are
18 vehicles coming from other municipalities to our
19 site at the present time, but the present site
20 was intended for the use of the City of London.

21 Q. The point I am coming to is
22 could this have a substantial impact on the
23 traffic of light vehicles coming from the city to
24 the site if this was a requirement by the Ministry?

25 A. There is no doubt in my mind
26 that the volumes of traffic would be reduced con-
27 siderably if we went to such a method and again
28 I have no objection to it. I haven't studied it,
29 but certainly it looks like a good avenue for
30 investigation.



1 Q. You have standby equipment in
2 the city that could be taken off standby and put to use
3 for this purpose?

4 A. Yes.

5 Q. I think you have referred to
6 this in evidence. I'm not sure whether it is in
7 or not, the letter of the Kettle Creek/Conservation Authority.
8 It was produced by my friend.

9 MR. WRIGHT: I don't think it went
10 in.

11 MR. PLAXTON: This is the letter to
12 which reference has been made. I believe this
13 letter has been read into the evidence.

14 MR. WRIGHT: I don't believe it has
15 been read in.

16 MR. PLAXTON: Q. Would you read
17 this letter in dated July 20th, 1973?

18 A. "ATTENTION: Engineering Department

19 Dear Sir:

20 At the regular meeting of the Kettle
21 Creek Conservation Authority held on
22 Wednesday, July 18, 1973, it was brought
23 to the attention of the Authority members
24 that the proposed sanitary landfill site
25 for the City of London situated in
26 Westminster Township is partly within
27 the jurisdiction of the Kettle Creek
28 Authority.

29 Since the drainage of the proposed
30 site discharges into tributaries of the



1 Kettle Creek, concern was expressed by
2 the members that adequate safeguards be
3 designed, implemented and enforced to
4 ensure that during operation of the land-
5 fill site no effluent from surface runoff
6 be allowed to discharge into the above
7 mentioned tributaries. Any discharge
8 may subsequently endanger the water
9 quality to the degree that adjacent
10 landowners might be limited in their use
11 of the waters.

12 Your consideration of the above would
13 be most appreciated.

14 Yours truly,

15 (signed)
16 (Mrs.) Lois Collins
17 Secretary-Treasurer."

18 Q. And following receipt of that
19 letter, what action was taken?

20 A. I personally requested Mr.
21 Morris and his firm to contact the Kettle Creek
22 Conservation Authority and this he did. He re-
23 ported back to me that he had met with their
24 manager or the appointed manager of the Kettle
25 Creek Conservation Authority, that the manager was
26 personally satisfied with our design or didn't have
27 any objection to our design. He felt that the
28 approvals that might be requested from the Kettle
29 Creek Conservation Authority might be handled in
30 the normal way that any other body with an interest
would be requested to report.



1 Q. Is the gentleman in question
2 Mr. Chuck Westman?

3 A. That is my understanding, yes.

4 Q. Mr. Rowntree, that concludes
5 my questioning and I assume you may wish to make
6 a final statement on behalf of the city.

7 A. Yes, Mr. Chairman, I would
8 like to suggest that the City of London has acted
9 in a responsible manner by retaining engineering
10 consultants and these consultants have investigated
11 the matter with a study that has been most exhaust-
12 ive and have considered all of the various known
13 means of disposal that are currently being con-
14 sidered as acceptable. One of our main thrusts
15 in this study has been the protection of ground
16 water and the prevention of contamination. We
17 are concerned with that just as much as the farmers
18 and residents of Westminster Township are in their
19 own township.

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20 We believe we have located a site
21 which answers the needs, the long term needs for
22 the City of London and possibly Westminster Town-
23 ship, if the township wishes to take advantage of
24 this offer.

25 A SPECTATOR: Oh!

26 THE WITNESS: This site ---

27 MR. PLAXTON: I would appreciate it
28 if the witness would be given his opportunity. The
29 fair way in Canada is for people to be given an
30 opportunity to give their side of the case. Anyone



1 here who wishes to make a comment is invited to
2 do so. We are here to listen to their comments
3 and try to take them into account. I ask them to
4 do the same.

5 THE CHAIRMAN: When people are
6 giving testimony, let us have no comments, please.
7 You will have your opportunity.

8 THE WITNESS: Mr. Chairman, this site
9 in our opinion and in the opinion of the city's
10 consultants will have the least effect on the
11 environment of the area. Mr. Chairman, I personally
12 view this project as a challenge because it is a
13 challenge to get back into agriculture these same
14 lands we are talking about and to the best of my
15 knowledge it has never been done before. I am as
16 interested in seeing this successful as anyone
17 else and you can have my commitment that I per-
18 sonally am concerned to see it handled as well as
19 it can be and to the satisfaction of as many people
20 as possible.

21 Now, Mr. Chairman, I would request
22 your Board to grant this application.

23 THE CHAIRMAN: I think I should say
24 that we will be making a report on our findings
25 here to the full Environmental Board. They will
26 go over the evidence which we are having trans-
27 cribed and then we will make a report to the
28 Executive Director who asked us to hold the hear-
29 ing and he will no doubt consider our report and
30 the opinions of the technical people in the Ministry



1 who will give the balance of their views and at
2 that time a decision will be rendered. It is not entirely
3 in our hands.

4 I want to thank you for your present-
5 ation.

6 MR. PLAXTON: I assume argument
7 will follow the other side's presentation?

8 THE CHAIRMAN: I think we want to
9 throw this open for questions now directed to
10 Mr. Rowntree.

11 MR. WRIGHT: I have a few questions
12 that could be very quickly asked. There is a
13 possibility the city people may want to have the
14 lunch hour to prepare copies of things I will be
15 requesting. I think if I could be first, I
16 would appreciate it. If I could get a start, I ---

17 THE CHAIRMAN: I thought we would
18 break at 12:30 if possible. That will give time
19 for the reporter to have a proper dinner.

20 MR. PLAXTON: An easier way may be
21 just to solicit what he wants.

22 MR. WRIGHT: It won't take very long.

23 EXAMINATION BY MR. WRIGHT:

24 Q. Mr. Rowntree, you have told
25 us the city -- there have been some undertakings
26 made and I want to get these undertakings down and
27 clearly on the record. As far as the road is
28 concerned, I think as you went through it in your
29 testimony, you testified that we would anticipate --
30 the only matter that you did deal with was the time



1 element of the installation of these road changes
2 and road improvements. Am I to understand that
3 part of your undertaking in resolving these things
4 will take place prior to work commencing on the
5 site?

6 A. It is my intention to indicate
7 that the city, Mr. Wright, would be prepared to see
8 that these road works and installations be done
9 prior to the commencement of the use of this site.
10 The only hesitation I have is that some materials
11 in signal equipment are very slow in delivery.
12 Subject to that reservation and subject to the
13 reservation that I gave before, subject to the
14 ruling of the Authority, I see no problem. It would
15 be my wish to provide a good operating site to have
16 these things at the very first because Mr. Morris
17 has in fact in his testimony ---

18 Q. We are running short of time.
19 You have been through this and I am just concerned
20 because we have a case to put in too and we are
21 running out of time. The week is short and getting
22 shorter. Perhaps we could ---

23 A. I understand.

24 Q. Except for the possibility of
25 the signal light parts arriving a little late,
26 everything is going to be done prior to the commence-
27 ment of operation?

28 A. Yes.

29 Q. The matter was raised about
30 fences being built and maintained by the city. Are

*No reservation
already given*



1 you in a position to speak on the efficacy in this
2 connection, are these fences all around the site
3 going to be -- excuse me -- kept up and maintained
4 throughout the life of the site at the full expense
5 of the city?

6 A. Yes, I am authorized to speak
7 for the city in this respect and I would anticipate
8 the city would bear the entire cost of fencing and
9 maintenance.

10 Q. The engineer during the course
11 of this hearing changed his mind as to the proper
12 holding fence that would keep paper from blowing
13 into adjacent lands. At the present the practice
14 is to use snow fencing and it was recommended that
15 the 16 foot netting presently being used in Toronto
16 would be used on this site. Are you in a position
17 to say that that will take place?

18 A. Yes, I am in a position to
19 say that definitely will take place.

20 Q. With respect to potable water
21 -- I am not in any way trying to question the bona
22 fides of what you said, but I would like to be very
23 clear for the record that the supply of water is
24 going to be guaranteed at no cost to the individuals
25 who would be affected in the event that this water
26 became contaminated, at no cost to these individuals?
27 This is very important.

28 A. Yes, it is.

29 MR. PLAXTON: Will you answer that
30 in the light of the three alternatives you suggested,



1 | trucked in, deepening wells and extending existing
2 | water mains?

3 | THE WITNESS: I think it is import-
4 | ant that it be clear now.

5 | MR. WRIGHT: Q. Yes, that is why
6 | I'm asking the question.

7 | A. For the trucking of water
8 | and provision of any containers on site at any
9 | property, we will bear the full expense, the City
10 | of London will bear the full expense. For the
11 | deepening of wells, the City of London will bear
12 | the full expense. For the extension of water mains,
13 | the City of London will bear the full expense.

14 | Q. That leaves out the question
15 | of the cost of the water that is going to run
16 | through the water mains.

17 | A. You are right. I have been
18 | considering this and I think in my opinion this
19 | would be an added expense to the normal operations
20 | of a well and the City of London is prepared to
21 | assume that cost.

22 | Q. Thank you. I'm not exactly
23 | sure what you said. If I seem to be trying to
24 | pin you down, I am. Does this mean the City of
25 | London is going to supply potable water through
26 | these water mains at no expense to the individuals
27 | in the township, at no expense?

28 | A. Yes.

29 | Q. Mr. Rowntree, your engineers
30 | gave a figure of \$8,000 for the extension ---



1 A. Sorry, I didn't hear you.

2 Q. Mr. Morris suggested \$8,000
3 was set aside for the installation of water mains,
4 should that eventuality occur.

5 A. I don't think he said it was
6 set aside.

7 Q. It was calculated in the
8 figures?

9 A. It was estimated and I am
10 aware of the \$8,000 estimate. We don't want to
11 spend the \$8,000 and therefore it was not included
12 in the estimate.

13 Q. I'm not prepared to pursue that
14 at this time.

15 There was some question about com-
16 pensation as a result of run-off from the site or
17 from paper or some other material that might get
18 out of the site. I am asking you to give us the
19 city's position. Mr. Plaxton indicated compensation
20 would be provided if there was anyone who could
21 establish a loss, of course. I am wondering if
22 the City of London is going to be strictly liable.

23 MR. WRIGHT: And, Mr. Plaxton, I'm
24 going to use kind of a legal phrase you may not
25 be familiar with---

26 Q. Is the city going to require
27 the person who has suffered loss to establish
28 negligence on the part of the city before pro-
29 ceeding to pay compensation?

30 MR. PLAXTON: That is a question of



1 policy and a question of law as well. I think
2 anyone can see it is a tough one to answer. I
3 would like to assist the witness, if I may.

4 I think the city's intention here --
5 I believe Mr. Rowntree is trying to convey that,
6 that they want to be good neighbours. Each case
7 would be judged on its own merits. If they felt
8 that they were being abused, they would require
9 the strictest possible proof. In other circumstances
10 I think you can expect the city to behave like a
11 good neighbour and that involves this very question.
12 The courts refer to that very phrase.

13 MR. WRIGHT: Thank you.

14 Mr. Chairman, perhaps we could be
15 advised as to what would be required. When Mr.
16 Plaxton spoke of certain proof, would that be a
17 question of them demonstrating that something took
18 place down on this landfill site which they had
19 knowledge of? Would they be required to prove
20 negligence took place of which they were not aware
21 or would the city waive the requirement to prove
22 negligence?

23 MR. PLAXTON: This is a question
24 really that depends on the facts, as you very well
25 know. Each situation would be assessed on its
26 own merits and if there was a reasonable pro-
27 bability, then you would have a neighbourly response.
28 If there was an unreasonable probability, you would
29 probably have a very strict response. I don't know
30 that we can really get into it any better than that



1 without dealing with a very specific kind of
2 situation and almost getting down to the very de-
3 tails as to how it arose.

4 MR. WRIGHT: Maybe I could put it
5 very simply one way: the city is not then in any
6 way waiving any defenses or rights which it may
7 have at all at law under the statutes or in any
8 other fashion with respect to compensation? It
9 is not giving up any rights it may have?

10 MR. PLAXTON: In the final analysis,
11 from the legal point of view, that is quite correct,
12 but if you rely on, as I think the witness has
13 tried to explain, the people who will be running
14 this thing as a good neighbour.

15 MR. WRIGHT: I've one last question.

16 Q. Would you be good enough to
17 produce to the hearing a certified copy of a by-
18 law of the City of London authorizing you and
19 Mr. Plaxton to make these undertakings and the
20 city to be bound by these undertakings?

21 MR. PLAXTON: Mr. Wright, I think
22 the real way to achieve effective undertakings
23 in these circumstances is to incorporate these
24 matters in the approval of the Board. We as a
25 city have invited that. We are inviting it now
26 before the Board and I think we did before. The
27 certificate of approval be worded in a manner to
28 reflect these undertakings. In that manner you
29 are double-dyed certain of it. You have authority
30 vested in the province then to withdraw the approval



1 at any time for failure to comply with the conditions.

2 MR. WRIGHT: Mr. Chairman, I just
3 want to make it very clear to all concerned that
4 all of the things in these undertakings don't bind
5 the city in any way if they are not prepared to
6 produce that by-law because the city can only act
7 and can only be bound by by-law on certain subjects.

8 MR. PLAXTON: They can be bound by
9 the Province of Ontario in this respect, certainly
10 by the nature of the certificate which will issue,
11 if it does, and the conditions which are attached.
12 I understand it is the practice of the Executive
13 Director to attach very frequently conditions on
14 these matters for approval. In addition, the
15 Ontario Municipal Board to my knowledge has adopted
16 a similar practice before it will approve anything
17 that it will require the conditions, adoption of
18 standards and so on to its satisfaction as well.
19 So there are two checks in this whole process.

20 MR. WRIGHT: The city isn't prepared
21 to do that on their own? They are going to be re-
22 quired they be imposed as conditions of the licence
23 to operate?

24 MR. PLAXTON: I don't think it is
25 effective on the city unless there are conditions.
26 A future council could amend a by-law enacted
27 today and it could be changed tomorrow -- not
28 tomorrow, but perhaps by a new council brought
29 in at some later date. The only effective way
30 to deal with this whole question in my submission,



1 Mr. Chairman, is by way of conditions to the
2 certificate of approval.

3 MR. MOODIE: I just want to ask a
4 question for clarification.

5 Would you be prepared to accept a
6 by-law if it were asked for as one of the conditions?
7 Would you be prepared to accept it?

8 MR. WRIGHT: I think we would be
9 prepared to accept it.

10 MR. MOODIE: As a condition of
11 approval?

12 MR. WRIGHT: You would have to get
13 the appropriate approvals for a by-law in any
14 event. It is my feeling that the city should be
15 taking the initiative here. They are giving us
16 all these statements and really the city is not
17 bound by them. What they are really doing is
18 acquiescing in this to get the certificate of
19 approval.

20 MR. PLAXTON: Mr. Chairman, I think
21 that is an unfair statement. We brought forward
22 a number of these ideas ourselves. Others have
23 come forward from this meeting and that is the
24 purpose of the meeting. The way to get the city
25 tied down at law is, I submit, to exact conditions
26 which reflect those undertakings that have been
27 given here and really the word "undertakings" is
28 perhaps misleading. What it is is a request by
29 the city that they be told that that is a condition
30 of their approval. In effect, that is the best way



1 to tie the city down. I submit again a by-law
2 passed this year by any municipality in Ontario,
3 under the Ontario Municipal Board Act -- I'm sorry
4 -- the Municipal Act, which is not one of a nature
5 requiring a third party approval can be revoked
6 at any time. It can be altered, it can be amended
7 and I submit that the best way to tie the city down
8 is to tie them to conditions. These are conditions
9 which can float in the sense that if more knowledge
10 is brought to bear by you on the renewal of cer-
11 tificates from year to year, you can as a board
12 -- I'm sorry, the Executive Director can and is
13 empowered to exact any further conditions in the
14 future that will assist in bringing into this
15 operation even more precise regulations in the
16 future.

17 In addition, you have the Ontario
18 regulations passed under the Act to further con-
19 sider in this respect. They can be changed at
20 any time making the operation even more precise
21 and more limited in the sense that the city is
22 limited in the nature of the operation it carries
23 out.

24 Mr. Chairman, these are the ways
25 in which the city can be governed and I think
26 that they are far more effective than any by-law.

27 THE CHAIRMAN: We will be reporting
28 on the legal points that were raised here. I quite
29 understand your desire to have the protection that
30 has been indicated would be given. I quite under-



1 stand that.

2 There is a gentleman here from the
3 Ministry. Do you want to make any comment? I
4 might say we will be reporting.

5 MR. WILLIAMSON: Mr. Chairman, the
6 conditions as described under the Act for there are
7 certificate of approval if it were recommended.
8 However, I should point out that any conditions
9 attached to a certificate of approval are subject
10 to the Environmental Hearing Board and if the
11 city (inaudible) as it did with the conditions,
12 they did not have the right to -- legal and I
13 think that should be mentioned.

14 THE CHAIRMAN: Please return to
15 the microphone. You will review the situation
16 from year to year?

17 MR. WILLIAMSON: That is quite
18 correct. This certificate is reissued annually.

19 MR. WRIGHT: I am satisfied with
20 the answer we got.

21 Is this an appropriate time to
22 break for lunch?

23 THE CHAIRMAN: Yes. We will adjourn
24 until 2:00 o'clock.

25 --- Luncheon adjournment
26
27
28
29
30



1 --- Upon resuming at 2:00 p.m.

2 THE CHAIRMAN: Order, ladies and
3 gentlemen, please.

4 Mr. Wright, do you want to continue
5 questioning Mr. Rowntree?

6 MR. WRIGHT: Yes. Were you able to
7 find the by-law?

8 MR. PLAXTON: There were one or two
9 matters came up before lunch and perhaps Mr.
10 Rowntree could be permitted to report to the Board
11 on them.

12 Would you like to proceed?

13 THE WITNESS: Mr. Chairman, during
14 the course of the lunch break I had an opportunity
15 of meeting one of the farmers in the area and I
16 believe his name is Mr. Harley Shore. He expressed
17 to me his concern about cattle and his concern of
18 pollution affecting his cattle. He indicated to
19 me, and I can appreciate his concern, that testing
20 that we have indicated to the hearing as occurring
21 every two weeks just isn't frequent enough to give
22 any warning or confidence with regard to the safety
23 of his cattle. Perhaps it should have dawned on
24 me beforehand that we are quite prepared to increase
25 the testing to a daily basis, if necessary. In fact,
26 we are prepared to carry out testing on any day on
27 which it rains. My understanding is that Mr. Shore
28 is not so much concerned about dry weather as when
29 there is rainfall. We are prepared to undertake
30 to carry out testing on the days of any rain for a



1 year or until Mr. Shore is satisfied or the
2 Ministry is satisfied with this matter. We would
3 be glad to do it. I can understand his concern.
4 We have other similar concerns in other matters
5 where time is of the essence and we have to know
6 things quickly. In this case it is a reasonable
7 suggestion and we would be glad to do it.

8 THE CHAIRMAN: This testing is?

9 MR. WRIGHT: Ground water run-off,
10 I assume. The run-off from the site property.

11 MR. PLAXTON: Mr. Shore's property
12 lies south and east, directly south of the site.
13 The drainage that has been described leads, he
14 tells us, to his farm. We have no reason to doubt
15 that. We know that that is the case and it is that
16 concern that he was expressing. In connection with
17 those drainage areas leading to that area these
18 steps would be taken.

19 THE WITNESS: Mr. Chairman, there
20 is another point I would like to clarify with
21 Mr. Wright. It is on the question of the guarantee
22 of water by the City of London.

23 It has been my intention that we clarify
24 this to mean household and livestock requirements
25 as far as water supply is concerned.

26 THE CHAIRMAN: Do you have anything
27 further?

28 MR. PLAXTON: That is all.

29 EXAMINATION BY MR. WRIGHT CONTINUED:

30 Q. I take it that this statement



1 about the daily monitoring of run-off water to which you
2 are now acquiescing could be a condition of the
3 issue of the certificate of approval?

4 A. There is no question in my
5 mind we can do it and we will be prepared to do it.

6 Q. If it should be made a condition,
7 and we want that kind of protection?

8 A. Yes.

9 THE CHAIRMAN: Any other questions?

10 MR. WRIGHT: My nod was not -- I
11 was waiting to see if it was being taken down.

12 Q. Mr. Rowntree, you talked about
13 operating this site as a model site for Canada.
14 You also heard Mr. Robertson say guidelines were
15 being set down which were going to be -- have a
16 certain amount of flexibility in them. Do you and
17 he disagree or is your interpretation of the guide-
18 lines that it should be a guideline only and subject
19 to certain discretions and flexibilities?

20 A. Mr. Wright, surely you are
21 aware of situations requiring flexibility somewhere?
22 As far as I am concerned and as far as Mr. Robertson
23 is concerned there is no flexibility. We are going
24 to do our darndest, our best to live up to what
25 we have said in this hearing. I think there is
26 some flexibility from an operating standpoint that
27 doesn't affect pollution and I think it is a case
28 where Mr. Robertson stated that when a citizen,
29 whether the Township of Westminster or in the
30 City of London, a citizen comes in with cast iron



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1 in the trunk of his car, we don't propose to send
2 him away.

3 Q. I was thinking of discretion
4 to do with sludge. It is pretty important to keep
5 your dump free of sludge because it is a potential
6 source of leachate and you are trying to minimize
7 the area in which the flexibility will be?

8 A. In the area of sludge cake
9 we will be as strict as possible and I have no
10 reservation in saying that. I don't think Mr.
11 Robertson or I differ in that opinion. Mr. Robertson
12 is in charge also of the treatment plant in the City
13 of London and he has the control, as I have the
14 control too, of this situation.

15 Q. I don't think we should be-
16 labour the point, except to suggest to you that
17 as you get down from the higher echelons in the
18 Civil Service across the City of London more and
19 more flexibility creeps in. Do you think that is
20 a fair comment?

21 A. It is a fair comment for any
22 organization. I think it is Mr. Robertson's
23 responsibility and my responsibility and all of
24 those under me to adhere to the regulations that
25 have been laid down by the city council and in
26 particular with respect to sludge cake there is
27 no question that this will be done in strictest
28 accordance with the regulations.

29 Q. There are three or four levels
30 between yourself and the on-site operating foreman



1 as I understand this?

2 A. Yes.

3 Q. So as we get down through the
4 flexibility would get greater and greater all the
5 way down through?

6 A. I know what you are talking
7 about, but in my experience our directions are
8 adhered to very carefully by the staff. Perhaps
9 we are stricter sometimes than we intend.

10 Q. In connection with the Township
11 of Westminster you indicated that there was a certain
12 degree of co-operation and constructive criticism.
13 There was reference made to the ultimate rejection
14 by them in April. Was there any further co-operation
15 or communication between the City of London and the
16 Township of Westminster?

17 A. Yes. There was further communi-
18 cation in correspondence from our Mayor to the Reeve
19 of the Township. The nature of this correspondence
20 was to outline all of the steps the City of London
21 was anticipating to take, this hearing being one
22 of the steps.

23 Q. And was that correspondence
24 answered with anything more than acknowledgement?

25 A. I am not aware of the acknow-
26 ledgement, nor am I aware of any answer. The
27 communication that I referred to specifically was
28 requested by the township and we were glad to pro-
29 vide that information.

30 Q. Do you expect any co-operation



1 from the Township of Westminster between now and
2 the O.M.B. hearing?

3 A. May I ask you what type of
4 co-operation you are talking about?

5 Q. Are you expecting opposition
6 from the Township of Westminster at the O.M.B.
7 hearing or are you expecting agreement in principle
8 that your proposal is a good one and should be
9 accepted?

10 A. I can't really anticipate
11 what the Council of the Township of Westminster
12 will do.

13 Q. That is fine. I think that
14 is clear.

15 You made much of the fact that
16 MacLaren's report was an exhaustive report covering
17 all aspects of incineration and landfill, sanitary
18 landfilling and you reviewed for us the steps which
19 MacLaren's report -- the steps that the MacLaren
20 people took prior to bringing down their report.
21 You advised us that they came out with six sites.
22 Is it not true that not one of those six sites was
23 acceptable? Not one of the six sites recommended
24 as the top six sites by the planning group was
25 acceptable?

26 A. None of the six sites that
27 included W-12 on detailed examination were found
28 satisfactory to fulfill all the requirements both
29 of the city and the Department of the Environment.

30 Q. That is correct.



1 MR. PLAXTON: And the Department
2 of Transport federally.

3 THE WITNESS: I believe there was a
4 site called W-20 and it too was in the Township of
5 Westminster and while it was discussed with the
6 Township of Westminster, this site was never given
7 detailed examination. It might very well prove
8 satisfactory. I don't know.

9 MR. WRIGHT: Q. W-1 was just one below
10 the top six, three to six, that group. The MacLaren
11 people tell us that only the top six were reviewed
12 prior to moving to a new site, W-12, so perhaps
13 that should be pursued by you if this proposal is
14 turned down?

15 A. Mr. Wright, we did pursue that
16 with the township. It wasn't turned down by the
17 township, but it appeared that this site W-12A
18 was more acceptable than W-20.

19 Q. The reason it was more accept-
20 able was your great concern for ground water?

21 A. No, Mr. Wright. I think
22 the reason it was more acceptable appears in my
23 opinion to be, to have come out of the meetings we
24 held with the township inasmuch as this site W-20
25 -- W-12A, received the concentration of attention
26 from the township.

27 Q. But the reason that it was
28 decided to go to W-12A was because of your concern
29 with pollution of ground water? That is what is
30 in your final statement.



1 A. Yes.

2 Q. How much, if any, concern was
3 given to the fact that you were going to be using
4 prime farmland?

5 A. The consideration given, Mr.
6 Wright, was in the area of returning this to farming
7 lands. I am sure if we were not concerned about
8 farmland we would not have brought up the suggestion.
9 There were other suggestions on the ultimate use
10 of this site and one of them was recreation. In
11 designing this site the consultants and ourselves
12 felt that we wanted to get back into agriculture.

13 Q. Would it not be better to
14 take useless land -- we can think of all sorts
15 of types of useless land which are covered with
16 things which are not acceptable for people? Is
17 it not better to take useless land and trying
18 experimentally turning it into farmland than to
19 take farmland and try to turn it back into farm-
20 land with the very good possibility that it won't
21 be satisfactorily used as productive farmland?

22 A. You included the possibility
23 of returning it or putting it into recreation.
24 We have had a fair amount of experience in this in
25 Greenway Park. That is one site. I think you are
26 over simplifying it, if I can say -- in putting
27 your question as you did. I maintain there are
28 many more criteria that you have to satisfy other
29 than just, as you said, using worthless land.

30 Q. That is right, but is not prime



1 farmland in Southwestern Ontario at a premium these
2 days?

3 A. I think I could agree that
4 farmland is most desirable to be kept in farmland,
5 but it is being used up as you are aware in the
6 Niagara Peninsula and elsewhere in the province
7 for othat uses like development, housing and so on.

8 Q. Highways and you could go on
9 and have a list as long as your arm. That is all
10 ^{an} the more reason for turning to/alternative when
11 there is an alternative to using up more farmland.
12 It is going out of use so fast we can't afford to
13 indiscriminately use it up. I think you must agree
14 with me if there is an alternative.

15 A. Can I suggest another approach,
16 Mr. Wright? I think it has been brought out before
17 in this hearing. We are not intending to take all
18 of the acreage of this site out of agriculture at
19 any one given time.

20 Q. That point has been made
21 abundantly clear. I think it has also been made
22 quite clear that there are some very serious pro-
23 blems with Professor Webber's proposal to turn it
24 back into farmland. I think that we are all aware
25 that this is the great remedy, you know, throw
26 up our hands and say if we do it right it is all
27 going to be farmland subject to the 20 acre chunk
28 you are going to be using year to year. I think
29 there is a very serious question as to whether or
30 not it can be turned back into farmland. Speaking



1 of that, I notice in the letter from the Public
2 Utilities Commission that they are proposing that
3 landscaping be used including relatively small
4 tree stock. Is this going to be -- I assume from
5 the comment that cover placed over the sanitary
6 landfill, the tree stock is going to be put on top
7 of the landfill site?

8 Is this another one of these
9 things that have yet to be ironed out? It is in
10 the final paragraph.

11 A. I think perhaps I should ex-
12 plain to you that the PUC and particularly Mr.
13 Chapman co-operates with the city in doing many
14 projects that involve landscaping. We rely on
15 their advice in many respects and we appreciate it,
16 but the final decision on what will be done will
17 be made by my department and not the PUC and it will
18 not be involved in operating this site.

19 Q. Are you going to put quite
20 small tree stock on the top of this landfill?

21 A. I think in previous testimony
22 we suggested we are anxious to get higher trees
23 for obscuring vision or to provide cover.

24 Q. I'm talking about on top of
25 the landfill site. That is what the implication
26 here is depending upon "...the success of landscaping
27 including relatively small tree stock..."

28 MR. PLAXTON: Mr. Chairman, I think
29 my friend is reading a great deal more into that
30 letter than ---



1 MR. WRIGHT: I'm trying to find out
2 from Mr. Rowntree if he thinks they should be putting
3 that small tree stock on the top of that landfill
4 site.

5 THE WITNESS: Mr. Chairman, we have
6 used trees and recommended trees in other sites,
7 namely, the Commissioner's Road site that I can
8 recall. It was at least in consultation with Mr.
9 Chapman but on the top of this site I have never
10 considered planting trees.

11 MR. WRIGHT: Q. I would suggest
12 to you you don't consider it because Professor
13 Webber advises us that alfalfa roots are likely
14 to penetrate the soil and get down inside, so
15 surely if alfalfa will, so will all tree stock,
16 so you might put that away in your repertoire of
17 reasonable information.

18 A. Thank you.

19 MR. PLAXTON: My friend is inferring
20 that the answer doesn't comply with this in the
21 first place.

22 MR. WRIGHT: I'm not going to get
23 into an argument about that.

24 Q. Also, in the Public Utilities
25 Commission letter they say:

26 "...indicating that the Commission will
27 abandon the White Oak Well field..."
28 we have no objection to using W-12A. Would they
29 have objected, do you suppose, if that well field
30 was still being used?



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1 A. In my opinion they would not
2 have objected.

3 Q. So the second paragraph of
4 the letter is entirely unnecessary and doesn't
5 mean anything?

6 A. Mr. Wright, I would think that
7 is a matter of information that was included in
8 the letter for the benefit of all concerned.

9 Q. Would you not agree with me
10 that the inference to be drawn from their state-
11 ment that: "You have Mr. Furanna's letter dated
12 September 28, 1972 indicating that
13 the Commission will abandon the White
14 Oak Well field as a water supply point.
15 This same letter refers to negotiation
16 between City Council and the Commission
17 regarding cost.

18 Noting that the wellfield is to be
19 abandoned, the Public Utilities
20 Commission has no objection to site
21 #W-12A..."

22 You must agree with me the inference to be drawn
23 from that is if the wellfield was not to be abandoned,
24 there might be some objection -- might be -- you
25 must agree with me there might be some objection
26 based on what they wrote?

27 A. Mr. Wright, I couldn't agree
28 with you. My opinion of the attitude of the PUC
29 through many discussions of this subject -- and
30 we were concerned that we protect the environment



1 and protect the water quality as much as possible
2 and, of course, that is why we went to the PUC
3 and thoroughly discussed it with them, but in my
4 opinion the PUC was not taking the stand that they
5 were going to object to this development of site
6 W-12 or W-12A.

7 Q. In view of the fact that the
8 wellfield is being abandoned?

9 A. I wouldn't agree that they say
10 that.

11 Q. Why don't they say it? I
12 put it to you that the Public Utilities Commission
13 would have objected and probably would have asked
14 a great deal more questions of you than this short
15 little letter if that wellfield was going to be
16 used. What I suggest to you is that the City of
17 London would be concerned, but it is all right if
18 it is only water in the Township of Westminster?

19 A. No. The difference in people
20 in the City of London and the township never came
21 up in our discussions. The matter of water quality
22 at the PUC was satisfied to the best of my knowledge
23 with the descriptions and information provided by
24 the City of London's consultant and through my
25 department. This, of course, we discussed how to
26 protect ground water from pollution, contamination
27 and certainly if they were interested in the sub-
28 ject and my impression of all the discussions we
29 held with the PUC was that they were satisfied
30 that the City of London was taking adequate steps



1 to protect the underground water.

2 Q. Mr. Rowntree, you received
3 on March the 18th, 1970 the interim report which
4 is found behind the first blue divider in the
5 report. It is page 1. The report is in the form
6 of a letter to you, sir, and it reads in the third
7 paragraph:

8 "In late 1969 it became apparent that
9 previous plans to continue the use of
10 the existing Southdale disposal site
11 extending from Commissioner's Road to
12 Southdale Road east of the extension
13 of Adelaide Street were not favoured by
14 area residents. The existing site with-
15 out extension..."

16 A. Would you give me the page?

17 Q. Page 1 of that letter, para-
18 graph one.

19 A. Starting, "In late 1969..."

20 Q. It's in the big blue book
21 behind the first blue separating cover. It is
22 appendix A, but there is no tab. Excuse me, it is
23 the second one. I forgot the first blue one a
24 couple of pages in it.

25 A. I have the letter dated
26 March 18th, 1970.

27 Q. Mr. Rowntree, would you explain
28 to us how many sites were passed up by reason of
29 not being favoured by area residents? Clearly one
30 was. How many others? That is a very eloquent



1 hypothesis.

2 A. Mr. Wright, to the best of my
3 knowledge one site was objected to by residents of
4 the City of London and it was the site on the south
5 side of Commissioner's Road, roughly between
6 Commissioner's Road and Southdale Road where
7 actually there are three sites in there.

8 Q. That is the only site you can
9 remember? I can tell you one other site which is
10 W-12A. It has not been passed up yet, but there
11 is a lot of area objection. It is not favoured
12 by the area residents.

13 I would like to turn in the same
14 interim report to page 12.

15 A. May I mention something about
16 that site on Commissioner's Road? That did not have
17 the capability of lifetime that we were looking for
18 or could depend upon.

19 Q. The possibility of extending
20 that part of the site wasn't even made part of your
21 study?

22 A. It was one of the sites and
23 it is called SE8 in the preliminary report we
24 are going through now. It is on one of the
25 plans here in the back folder.

26 THE CHAIRMAN: There is no page 12
27 in here.

28 MR. WRIGHT: Well ---

29 THE WITNESS: I have a plan here
30 which shows the site.



1 THE CHAIRMAN: Are we looking at
2 the same reference?

3 MR. WRIGHT: Yes, we are, Mr.
4 Chairman. I have part of page 12.

5 THE CHAIRMAN: That is what I have.
6 Part of it is cut out.

7 MR. WRIGHT: I suppose they didn't
8 want to disclose development costs and estimated
9 finishing costs and that sort of thing.

10 THE CHAIRMAN: Mr. Moodie's book
11 has no page 12 at all.

12 --- (Laughter)

13 MR. WRIGHT: That makes it easier.
14 The only thing I'm concerned about on page 12,
15 Mr. Chairman, and you have that part of that in
16 yours so you can advise the other members that it
17 does appear in yours, and that is the estimated
18 life of SE-7 is five years and site SE-3 is seven
19 years. I understand that SE-7 is connected with
20 the Commissioner's Road dump, either as an exten-
21 sion or a completion of whatever the state of it
22 was at that date and SE-3 as I understand it is
23 now what is called the Clarke Side Road dump.

24 Q. Can you confirm that?

25 A. May I see my plan again?

26 Q. Oh, yes.

27 A. SE-3 is the site on the east
28 side of Clarke Side Road. SE-7 is one of the three
29 sites in close proximity at the L.&P.S. and Commis-
30 sioner's Road and it is indicated by a black dot on



1 the south side of Commissioner's Road.

2 Q. Right. When was the Commissioner's
3 Road site closed?

4 A. I will have to check my files.

5 Q. Don't give me an exact date,
6 but perhaps you could give us a rough estimation
7 of when vehicles were stopped from going into that
8 site?

9 MR. PLAXTON: December of 1971.

10 MR. WRIGHT: Q. By that time the
11 Clarke Side Road site had been opened?

12 MR. PLAXTON: It was closed.

13 THE WITNESS: Yes.

14 MR. WRIGHT: Q. Am I correct in my
15 figures that between the date of the interim re-
16 port on the 18th of March, 1970 and December, 1971,
17 the Commissioner's Road site was opened for another
18 year and a half?

19 A. Those are your calculations,
20 Mr. Wright, but I think there is other information
21 with regard to ---

22 Q. You can't dispute this?

23 A. ...the Commissioner's Road
24 site whose lifetime expectancy was affected by a
25 reduction of the area at one given time, so I
26 can't be too positive without checking my records.

27 Q. You can agree with me that
28 based on the date which you have that roughly the
29 Commissioner's Road site closed in roughly December
30 of 1971?



1 A. The Commissioner's Road site,
2 in other words, Mr. Wright, was closed at the time
3 we opened up the Clarke Side Road site.

4 Q. I am asking you do you agree
5 that in about December of 1971 the Commissioner's
6 Road site was closed? That is a very simple question.

7 A. That was based on -- that was
8 the information given to you from the other side of
9 the room?

10 MR. PLAXTON: Information provided
11 by Mr. Robertson was that on December 11th, 1971,
12 the first packer moved into the southeast existing
13 landfill site and the Commissioner's Road site was
14 closed either then or very, very shortly thereafter,
15 within that month.

16 MR. WRIGHT: Thank you.

17 Q. So the proposition follows
18 naturally that from March 18th, 1970, and approx-
19 imately December of 1971 is roughly a year and a
20 half -- close to a year and three-quarters that the
21 Commissioner's Road site stayed open after the
22 interim report was brought in?

23 A. I think I could agree to that.

24 Q. Thank you. Between roughly
25 December of 1971 to roughly July or August of
26 1973 we have another year and a half?

27 A. Yes.

28 Q. So since the report was brought
29 down on March 18th, 1970, you have made ---

30 A. I beg your pardon? You are



1 talking about the interim report?

2 Q. Yes, which was brought down
3 in March of 1970 we have roughly three to three
4 and a half years of disposal that has taken place?

5 MR. PLAXTON: That is self-evident.

6 MR. WRIGHT: Yes. I would like Mr.
7 Rowntree to nod or say to the reporter, "Yes, that
8 is true."

9 THE WITNESS: Yes, that is true.

10 MR. WRIGHT: Thank you.

11 Q. There are projections on page
12 12 indicating the combined sites have an estimated
13 life of 12 years, five at the Commissioner's Road
14 site and seven at the Clarke Side Road site.
15 Twelve minus three and a half gives eight and a
16 half to nine years. On a simple matter of math-
17 ematics that is true. Either your figures are
18 wrong or the interim report is just way out in
19 left field.

20 A. I would be glad to find out
21 where those figures are out.

22 Q. Nine years from now would be
23 1982. You are projecting exhausting the present
24 facilities by the beginning of 1975?

25 MR. PLAXTON: Would you explain how
26 you arrived at that figure?

27 MR. WRIGHT: Well, after a very
28 lengthy -- we have a year and a half of disposal
29 at the Commissioner's Road site.

30 MR. PLAXTON: Dating from December of



1 1971?

2 MR. WRIGHT: Yes. Since that date
3 we have another year and a half of disposal or so
4 at the Clarke Side Road site. Grand total, three
5 to three and a half years.

6 MR. PLAXTON: From the interim report?

7 MR. WRIGHT: Yes.

8 MR. PLAXTON: Correct.

9 MR. WRIGHT: At the date of the
10 interim report there was projected a five-year
11 capacity at the Commissioner's Road site and a
12 seven-year capacity at the Clarke Side Road site
13 for a grand total of 12 years. We have used, of
14 those 12 years, some three to three and a half years.

15 THE WITNESS: I would like to inter-
16 rupt there. I think there have been some revisions
17 on the effective lifetime of some of these sites.
18 Subsequent to the report and in the light of
19 experience in operating the Clarke Road site ---

20 MR. WRIGHT: Q. That was basically
21 my question: are your figures wrong or is the
22 MacLaren report out by about 100%?

23 MR. PLAXTON: There is an explanation
24 for this and perhaps the witness -- I don't want
25 to interfere -- do you have the answer for this?

26 THE WITNESS: My understanding is
27 that the site on Clarke Side Road was originally
28 estimated for seven years and in the light of
29 experience with volumes going into the site the
30 site life was reduced considerably to approximately



1 seven years -- pardon me -- three to four years.

2 MR. WRIGHT: Does that answer your
3 question?

4 MR. PLAXTON: Was there a design
5 change between the interim report talking about
6 seven years and some later stage?

7 THE WITNESS: I think Mr. Morris
8 should testify to that.

9 MR. PLAXTON: I would like Mr. Morris
10 to answer that question.

11 VICTOR MORRIS, recalled:

12 THE WITNESS: To bring back the
13 embarrassing part of the report, this was a low
14 estimate. In this interim report which was based
15 on the survey of the small sites it was in the
16 survey of this site that we took all the currently
17 available cover material on the site. When we got
18 to the detailed design, you may recall from some
19 of the photographs there was an odd shape to the
20 site. Originally we were going to use the whole
21 thing but where the access road runs in the ditch
22 around the site bellies out into the site and
23 leaves undisturbed materials. Instead of the suitable cover
24 material we expected, instead it turns out this
25 material was old concrete, rubble, junk material
26 so we couldn't use it as proper cover material, so
27 this took two or three years off the site design
28 right there. When we appeared before the Rezoning
29 Board for the city it was a design for that site
30 with a capacity of four to four and a half years.



1 The weigh scale, before it was put in we realized
2 it was greater and that is why it came out to three
3 to three and a half years.

4 MR. WRIGHT: So your original estimate,
5 you took off three years based on what you found on
6 the site and then you knocked off some more when
7 you actually got on the site?

8 THE WITNESS: No. We lost because
9 of increased material coming in.

10 MR. WRIGHT: Are we going to have
11 the same problems in the new site?

12 THE WITNESS: No, we know what the
13 soil conditions are. We could have a problem if we go
14 to recycling and we have to reduce our
15 estimate again. That is why we stress we have to
16 review these figures every 5 years because we
17 can project on a recognized basis of one and a
18 half per cent increase in garbage per year in the
19 city. Different industries come in and so on and
20 so on and we can't just rely on the population
21 figures because we get major fluctuations in
22 industry.

23 MR. WRIGHT: We are assuming these
24 are conservative estimations?

25 THE WITNESS: I would say at this time,
26 yes.

27 MR. WRIGHT: So it is possible that
28 other space could be found in the site which could
29 if necessary have another two or three years put
30 into it? Would you start planning in 1976 for 1977?



1 Would it be possible?

2 THE WITNESS: Not in any way that
3 I know of really unless we go up and up and up.
4 We had this original permission to go to a certain
5 height and it was extended by ten feet, rather
6 reluctantly, I think. I doubt if the Ministry
7 would let us go ahead on that.

8 MR. WRIGHT: You could go back to Greenway
9 Park?

10 THE WITNESS: There are residents
11 in Greenway Park too.

12 MR. WRIGHT: Thank you very much,
13 Mr. Morris, again. I hope the city keeps you on
14 this project as you seem to be the only one who
15 knows very much about it.

16 ALAM KEITH ROWNTREE, recalled:

17 EXAMINATION BY MR. WRIGHT CONTINUED:

18 Q. Mr. Rowntree, you made a great
19 point of saying that landfill is necessary. No
20 matter what else we use, landfill is necessary.
21 You then went on to say incineration, compacting
22 or recycling would only reduce volume on a site.
23 Do you agree with me you said that?

24 A. Yes.

25 Q. Do you want to qualify it in
26 any way?

27 A. No.

28 Q. If we use incineration, there
29 would be no leachate. Is that correct?

30 A. I think that was discussed in



1 this hearing before.

2 Q. It seems to me Mr. Morris
3 said there would be.

4 A. That is not right.

5 MR. WRIGHT: Let's have Mr. Morris
6 back. I think it is worth dealing with again be-
7 cause I don't want anyone to be under the belief
8 that the only thing about any of these alternatives
9 is volume.

10 MR. MORRIS: I think what I said
11 was the leachate quantity would be reduced certainly.

12 MR. WRIGHT: We are talking about
13 incineration now.

14 MR. MORRIS: What I did explain was
15 in the ash that you get from the incineration there
16 are metallic compounds concentrated in it. This
17 can leak out of the ash. We discussed this and
18 you said this was dead material. Biologically it
19 You wouldn't have a biochemical oxygen develop.
20 would be dead./ It would have leachate in the form
21 of metallic ions and so forth. It would still re-
22 quire some provision for collecting leachate, but
23 I did say it wasn't as big a problem as the straight
24 refuse going into the fill site.

25 MR. WRIGHT: If it is leaking out,
26 it is not going to be building up and decomposing?
27 There are not going to be liquids coming out of
28 this metallic ash?

29 MR. MORRIS: The liquid would get
30 in the same way through the covering material ---

MR. WRIGHT: The same way as what?



1 MR. MORRIS: The same way as minor
2 quantities get in through the clay cover ---

3 MR. WRIGHT: I thought you told me
4 the other day no water would get in?

5 MR. MORRIS: Much less quantity, but
6 this water percolating through the ash does extract
7 metallic ash and dissolves salts from the ash which
8 could then get into the ground water system. What
9 I said was we wouldn't neglect this aspect by
10 choosing a hole in the ground to fill this material
11 in.

12 MR. WRIGHT: You agree with me it
13 is not nearly the problem that leachate is in the
14 proposed site?

15 MR. MORRIS: Yes.

16 MR. WRIGHT: It wouldn't be decom-
17 posing and creating products of decomposition?
18 It is just going to be sitting there for eight
19 feet in this excavation?

20 MR. MORRIS: That is correct.

21 MR. WRIGHT: All we have to do is
22 make sure that the water doesn't flow through this
23 without adequate testing?

24 MR. MORRIS: It can only go down.
25 I explained that, in small quantities or it can
26 build up and go into a leachate drain. That is
27 where it collects.

28 MR. WRIGHT: How about this ash
29 from the incinerator, have you ever tested it?

30 MR. MORRIS: It has been done. I talked



1 with Mr. Wainsborough about this yesterday to make
2 sure I was giving a straight story and he confirmed that
3 at the
4 the Ministry would be looking/possibility of a leachate
5 problem from ash.

6 MR. WRIGHT: There is some chemical
7 problem that we have to contend with, but it is
8 just to make sure the record clearly states your
9 position, it is a minimal problem relative to the
10 leachate creation on an open landfill site?

11 MR. MORRIS: It is a much smaller
12 problem. It could be quite critical in a given
13 site. That is what I am trying to say. It would
14 have to be examined. I'm not going to say it may
15 be no more critical than here, but overall it is
16 less of a problem than sanitary landfill sites.

17 MR. WRIGHT: Substantially?

18 MR. MORRIS: Yes.

19 MR. WRIGHT: We have a substantially
20 less problem and therefore we do have that difference
21 in volume?

22 THE WITNESS: Are you directing a
23 question to me? Would you please repeat the question?

24 MR. WRIGHT: Q. Do you now agree with
25 me that there will be more than just the difference
26 in volume to be found through incineration?

27 A. I can agree with that state-
28 ment, that is not what you really asked me to agree
29 with in the first place.

30 Q. When I asked you to agree
with me in the first place was ---

A. ...that there be no leachate.



1 Q. The leachate problem is not as
2 substantial. Our problem is that we can't forget
3 words that you guys can. I can't get somebody to
4 stand up and say, "There won't be a serious pro-
5 blem in this connection." I have to take Mr.
6 Morris' word and I believe he honestly believes
7 in certain situations there will be a problem that
8 must be contended with, but on his evidence he said
9 there is a substantially greater problem here than
10 there would be in incineration. Perhaps I have
11 badly worded the question, but would you agree with
12 me there is a substantial difference in leachate
13 problems created if you don't use incineration?

14 A. Can I rephrase that?

15 Q. Sure.

16 A. I think the leachate problem
17 is much reduced in an incineration process as
18 compared to a landfill process.

19 Q. And would you agree with me
20 another difference might be that there won't be
21 any blowing paper in an incineration operation?

22 A. I think that was covered
23 before once and certainly I would say it is a much
24 less problem in incineration but I am not over-
25 looking the possibility that in an area that is
26 designated for incineration where you have trucks
27 standing waiting to get in and so on there may still
28 be a blowing paper problem.

29 MR. PLAXTON: That would be at the
30 plant itself?



1 THE WITNESS: Yes.

2 MR. WRIGHT: Q. And there would be
3 a difference in terms of dust generated?

4 A. That is right.

5 Q. Very little if any dust would
6 be generated in an incineration operation?

7 A. It would probably be all inside
8 the plant.

9 Q. You wouldn't expect to find
10 any rats around an incineration operation?

11 A. That again was testified to
12 in previous testimony and it is possible that
13 rats can get into an incinerator.

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14 Q. They would be disposed of pretty
15 quickly. The gas potential for creation of methane
16 or carbon dioxide, this can be adequately contained
17 in incineration?

18 A. Yes.

19 Q. There wouldn't be any bad odour
20 problem with incineration?

21 A. In my opinion it is possible.

22 Q. Mr. Morris suggested with proper
23 ventilation it could be avoided. You have just
24 qualified your statement that the only difference
25 between landfill and incineration would be economic
26 and that quite substantially qualified it?

27 A. That is your assumption, but
28 you have not discussed cost, you have not discussed
29 suitability ---

30 Q. Let's discuss cost. The cost per



1 ton of a landfill site is \$5.75 with an override,
2 according to Mr. Morris, for contingencies, many
3 of which we have already raised, conservative
4 25¢ per ton. That makes it \$6 per ton including
5 capital and operating expenses. We are talking
6 \$6 a ton. We have the SWARU operation down in
7 Hamilton which on the newspaper reports of Mr.
8 George Sutton down there ---

9 MR. PLAXTON: Mr. Chairman, I don't
10 get the chance to cross-examine a newspaper report.
11 The question really is, as I understand it, I
12 think this may be of interest -- the \$6 amount
13 includes the cost of haulage from the last point
14 of delivery along the beat, the beat being the
15 collection route. Taking that last point, you have
16 to include in this \$6 haulage costs to the site
17 plus site development, plus site redevelopment over
18 the years. These costs are divided as between
19 operating^{and}/capital. I think the question is when
20 you are looking at a figure from a newspaper report
21 does include haulage to that extent, does it
22 not include haulage? I understand haulage runs
23 about \$3.75 is my recollection per ton. Is this
24 item included or not? That is a very important
25 question in making a comparison.

26 MR. WRIGHT: We're talking about
27 incineration. We're not talking about haulage
28 costs here. We're talking about a central location
29 in Hamilton. I understood Mr. Plaxton to say be-
30 cause of the reservations expressed by Mr. Morris



1 over this I was going to say, "Let's take a cost
2 of \$8.50 per ton based on incineration."

3 MR. PLAXTON: Where do you get that
4 figure?

5 MR. WRIGHT: Mr. Morris expressed
6 his concern about this item and we said we can't
7 afford the experts to find out about this sort of
8 thing. As I explained to you and the Chairman, we
9 are trying our very best to find someone who can give
10 us some information as to the cost per ton and I
11 might say if we can get that person, we will be
12 able to show, subject to what you have on that
13 table, what we were talking about, what Mr. Sutton
14 is talking about in terms of cost.

15 MR. PLAXTON: Taking a theoretical
16 figure of \$8.50? We are trying to rely on the
17 evidence.

18 MR. WRIGHT: The only evidence we
19 have got of incineration is this -- what is the
20 figure?

21 MR. PLAXTON: I think the evidence
22 to date ---

23 MR. WRIGHT: We have got 10.32 in
24 the report.

25 MR. PLAXTON: The 1970 report dealt
26 with incineration and also dealt with estimate for
27 landfill and estimate for landfill at that time
28 was \$5.02 per ton. The estimate has now increased
29 to \$6 and that includes some provision of 25¢ for
30 contingencies. I would like to bring that out as we



1 get into these numbers.

2 THE CHAIRMAN: What was the price
3 for incineration at that time?

4 MR. PLAXTON: Incineration price
5 was \$10.32, so it was more than double the \$5.02
6 mentioned at that time for landfill.

7 MR. WRIGHT: Perhaps you would explain
8 to me what the figures on 8.8 are? That is on the
9 report of October 1970. These costs shown there
10 are \$10.28 per ton and down below it is \$7.73 per
11 ton.

12 MR. PLAXTON: Mr. Morris prepared
13 the report and I think he should answer the question.

14 MR. MORRIS: It takes four or five
15 hours to present this report properly, but to
16 answer your question specifically the section on
17 A-28 where we were comparing different combinations
18 of incinerator units and so on to arrive at the
19 optimum combination this basically was to compare
20 the units themselves compared to overall systems
21 which includes the haulage and so on. We go to
22 table 11-7 -- page 11-7, table 11-1. These final
23 figures in the last column are what we consider
24 fair comparisons between each of the different
25 systems developed.

26 MR. WRIGHT: Does that include
27 hauling costs to what place?

28 MR. MORRIS: To I think the site that
29 was just taken, the southeast corner of the city in the
30 Industrial Park Area.
The haulage costs are much less for incineration than



1 they are for landfill, as you pointed out.

2 MR. WRIGHT: For the sake of rounding
3 it would you be content if we said that \$10 per ton
4 was it or do you want me to round it up?

5 MR. MORRIS: No. I was just looking
6 in my bag to find out the recent costs for the Ottawa
7 region and they were running about 12 or \$13 a ton
8 for incineration. I was talking to Mr. Sexton and
9 he had indicated to me that since 1970 incineration
10 costs have gone up 25% so these seem to check. He
11 wrote this report with me.

12 MR. WRIGHT: Oh.

13 MR. MORRIS: We updated the landfill
14 costs and had a rough idea of the incinerator
15 updating without going through it all again because
16 frankly I just thought we would be discussing this
17 site only and not this report in detail.

18 With the increase in costs I would
19 say \$12 at least would be the figure for incinerating per
20 ton.

21 MR. WRIGHT: And your projection is
22 for 470 tons per day or has that gone up too? That
23 is what your report projects.

24 MR. MORRIS: That has gone up be-
25 cause of the increase in garbage. This may not be
26 quite right, but as I said before ---

27 MR. WRIGHT: You change your figures
28 every time you start talking.

29 MR. MORRIS: I said before that when
30 we increased the \$5 to \$6 for landfill, that raises



1 or updates costs and you expect it to be a little
2 higher, but because of the scale of the operation
3 has increased it seems to have kept it down to
4 \$6. I am assuming that same thing would apply
5 with incineration. I haven't reworked the
6 units through to see if in fact the tonnage the
7 city is getting now we might get into the situation
8 of more cost because of a different combination of
9 units. I'm just assuming it is a straight increase
10 per ton for increase in the cost of building the
11 unit.

12 MR. WRIGHT: What are you projecting
13 per day if we wanted to use a figure? We are trying
14 to work up some cost figures to get a comparison
15 to see how much it is going to cost.

16 MR. MORRIS: Our working day is
17 about 800 tons per day. That is total tonnage.

18 MR. WRIGHT: Four seventy and now
19 it is 800 -- my God!

20 MR. MORRIS: Let me finish. Eight
21 hundred tons includes the total amount of material
22 brought to the landfill site at the moment. In-
23 cinerating that and taking all that, you can take
24 20% off that for material applicable to a landfill
25 site. If you take a fifth of that or a sixth of
26 it it would be 640 tons.

27 MR. WRIGHT: Your projections were
28 based on straight sanitary landfill dumping? You
29 weren't calculating when you were projecting the
30 garbage that was going to flow out of the City of



1 London -- you calculated it at an average of 750
2 tons -- 470 tons per day, excuse me.

3 MR. MORRIS: For incineration.

4 MR. WRIGHT: And for landfill,
5 whichever. Weren't your reports based on that
6 amount of garbage per day?

7 MR. MORRIS: There was two figures,
8 one for the incinerator on its own and the size
9 of units and the total ---

10 MR. PLAXTON: So the incinerator
11 wasn't designed to handle everything?

12 MR. MORRIS: No, it can't handle
13 everything.

14 MR. WRIGHT: But the landfill site
15 would?

16 MR. MORRIS: In the final cost
17 of \$10 we arrived at, that also included
18 taking a portion of the waste which couldn't be
19 incinerated to the landfill site. That is why
20 that represents the total schemes involved in each
21 case.

22 MR. PLAXTON: Would you assist Mr.
23 Wright in trying to locate the number of tons per
24 day going into the incinerator, Mr. Morris?

25 MR. WRIGHT: I can follow where it
26 is going into the incinerator. His projections
27 are for 277 tons a day on page 8-13.

28 MR. PLAXTON: But you want to know
29 how much was planned to go into a landfill site?

30 MR. WRIGHT: That is right.



1 MR. PLAXTON: If you take the total
2 amount of the tonnage estimated for the landfill
3 site approach and deduct from that whatever is put
4 into the incinerator and assume the balance goes to
5 the landfill, would that be fair?

6 MR. MORRIS: Page 5-21 that breakdown
7 is shown. That is shown in tonnage per year per day.

8 MR. WRIGHT: The figures we are looking
9 for are 170,000 tons per year and 470 tons per day.
10 We are still looking so we can tell you where it will
11 be.

12 MR. MOODIE: You are looking for
13 other figures than those on page 8-13?

14 MR. WRIGHT: Yes.

15 THE CHAIRMAN: This might be an
16 appropriate time to have a 15 minute adjournment.

17 MR. WRIGHT: Yes.

18 --- Recess

19 --- Upon resuming

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20 THE CHAIRMAN: Come to order, please.

21 MR. WRIGHT: I think we got some
22 figures, Mr. Chairman, that are going to clear this
23 thing up a little bit.

24 Mr. Morris, am I correct that your
25 projection for 1975 is 270,000 tons per year?

26 MR. MORRIS: That is correct.

27 MR. WRIGHT: And at the moment we
28 are processing 221,000 tons per year?

29 MR. MORRIS: Correct.

30 MR. WRIGHT: Your projections are off.



1 You are a little low in your projections.

2 MR. MORRIS: Yes.

3 MR. WRIGHT: Q. Mr. Rowntree, you
4 may not have the answer to this, but do you know
5 if the road allowance through the 7th Concession
6 is wide enough to accommodate what you are proposing
7 without having a fence on either side of the road?

8 A. My staff have gone into that
9 and to the best of our knowledge we don't require
10 a fence if it is operated properly.

11 Q. Thank you.

12 The suggestions that were made to
13 you by my friend with respect to garbage containers
14 at local sites, that is something that has just come
15 up in the last 24 hours, not something that has been
16 a long-standing idea?

17 A. That had occurred to me during
18 the past 12 months and I have not progressed with
19 the matter of having empty containers to fill. I
20 think it is a good idea.

21 Q. That is something then -- can
22 we put that down as one of the conditions of the
23 granting of this certificate?

24 A. Subject to Health Authority
25 approval, subject to the Ministry of the Environ-
26 ment, I think it is a good idea.

27 Q. All right. I think it is too.

28 MR. WRIGHT: Mr. Chairman, those
29 are my questions.

30 THE CHAIRMAN: Thank you.



1 Are there any people in the audience
2 that would like to put questions to Mr. Rowntree?

3 MR. WALLACE LAIDLAW: I would like
4 to ask Mr. Rowntree the date of the letter he said
5 the Mayor of London wrote to the Reeve of the town-
6 ship. That letter may have been in the mail for a
7 year because it was never delivered.

8 THE WITNESS: I am amazed at this.
9 I have a copy of the letter in my file here. I
10 would be glad to show it to the Reeve and I can
11 only say I am amazed that the Reeve of the Township
12 of Westminster has not received that letter.

13 MR. LAIDLAW: So am I.

14 THE WITNESS: This is the first
15 indication I have had and I can only offer the
16 city's apologies that you haven't received this.

17 MR. LAIDLAW: I haven't received it.
18 This is the first I knew that this letter ever was
19 written when I heard your statement today.

20 THE WITNESS: I would be glad to show
21 you the draft.

22 MR. LAIDLAW: I would be glad to have
23 a copy for the record.

24 MR. WRIGHT: Perhaps the record should
25 show that this is the Reeve of the township, Mr.
26 Wallace Laidlaw.

27 MR. LAIDLAW: You will see that we
28 receive a copy of that letter?

29 THE WITNESS: Most assuredly. I
30 will personally deliver it to you. As I say, I am



1 amazed.

2 MR. LAIDLAW: So are we, but there
3 seems to be a lot of this type of thing happening
4 in the township.

5 MR. GOUGH: I would like to know, if the water
6 wells out there are polluted, how do you propose
7 to dig down deeper to find water?

8 THE WITNESS: Well, I appreciate
9 that there are problems in approaching this problem
10 to improve wells, but it is one alternative that I
11 suggest we can investigate besides hauling water
12 in and installing water mains, additional water
13 mains. If there is any improvement by way of
14 deepening them or drilling deeper -- I am aware of
15 certain problems in doing this, but it is an avenue
16 we would investigate and not disregard out of hand.
17 It is one that we would obtain advice from experts
18 in the field and that is the best that I can suggest
19 at the moment without knowing specific problems
20 encountered in any given well.

21 MR. GOUGH: If it pollutes one
22 well, will it not pollute the wells within the six
23 mile radius like the PUC wells did?

24 THE WITNESS: I am not contradicting
25 you, but I think that there are experts in this
26 field perhaps who are not here who could answer
27 this question better than I.

28 MR. GOUGH: Then I will address
29 my question to them.

30 One more question: what happens in



1 ten years time if you find the seepage has gone
2 down to the water table? Would you just stop the
3 dump at that time or continue on?

4 THE WITNESS: As has been stated here
5 in this hearing, this whole operation is going to be
6 monitored by water sampling and it also has been
7 stated that our licence to continue is on a yearly
8 basis. I am sure that -- I can't speak for the
9 Ministry of the Environment, but I am sure that they
10 are going to be as interested as we are in protecting
11 the water supply of the residents of the area.

12 MR. GOUGH: One more last question:
13 there is tile drain draining down from the north in
14 the River Road area.

15 THE WITNESS: Would you care to point
16 it out to me on one of the maps?

17 MR. PLAXTON: Is the aerial photo
18 around?

19 MR. GOUGH: This is the drain coming
20 down through here. It is about a four foot drain
21 of six inch tile and your area you are going to be
22 working in here, what happens -- is this drained
23 into the seepage bed and back up or what happens?

24 THE WITNESS: The drain you mentioned
25 that corners this property (indicating), I was out
26 there the other evening and I was getting an impress-
27 ion of a field and it is marked out by green growth
28 in that field. My understanding is that it goes
29 southward or southeasterly in direction and my
30 understanding on the design of our consultant is that



1 | there would be a diversion roughly along this
2 | boundary (indicating). There wouldn't be any water
3 | volume by reason of building that diversion.

4 | MR. GOUGH: Thank you. It would
5 | be tiled the rest of the way around at that time?

6 | THE WITNESS: Will you please tell
7 | me is the tile here?

8 | MR. WRIGHT: I have a map showing all
9 | the drainage divisions and that perhaps would be more
10 | useful in this discussion. Outlined in yellow is
11 | the proposed site for the dump. The blue is open
12 | ditch. The green indicates open run-off in these
13 | areas and the red indicates tile drain. This has
14 | been compiled by those people who live in the area.

15 | THE WITNESS: Subject to correction --
16 | and the drain that has been indicated is below here.
17 | The question is whether the city intends to tile
18 | that part of the drain that is to the east end of
19 | the site property and off the site. We propose in
20 | the design to carry the tile in around the outside
21 | of this field and again southerly. No decision has
22 | been made at this stage to tile that outlet to the
23 | east.

24 | MR. GOUGH: The one I was concerned
25 | with was this one here, the tile drain. This is
26 | open here. This is the one where the PUC well was
27 | on this property here.

28 | THE WITNESS: It is proposed to tile
29 | it where it enters the site only.

30 | MR. GOUGH: Thank you.



1 THE WITNESS: The water that will go
2 through that drain would not be in contact with the
3 fill at all.

4 MR. GOUGH: Thank you.

5 THE CHAIRMAN: In other words, you
6 are going to see that the tile is put in properly?

7 THE WITNESS: Yes, Mr. Chairman.

8 MR. WILLIAM BRADISH: We own the 50
9 acres above that tile drain. I am pretty concerned
10 about that. Does Mr. Rowntree know the width of
11 the 7th Concession?

12 THE WITNESS: The normal road allow-
13 ances in this general area are 66 feet and I suspect
14 that that is less than the 66 feet on the 7th
15 Concession.

16 MR. BRADISH: You are saying you are
17 going to build a 22 foot road, is that right, with
18 ten foot gravel shoulders?

19 MR. PLAXTON: That is correct.

20 MR. BRADISH: And a ten foot depth
21 on each side and we travel that road I suppose ten
22 times a day with a machine. Can we get down that
23 road with machinery with your trucks going up and
24 down it?

25 THE WITNESS: Mr. Bradish, certainly
26 we anticipate that the residents of that area can
27 maintain their use of the road together with our
28 use of the road. In other words, that both you and
29 the people that are using the landfill site can use
30 the road and neither would be excluded and there has



1 | been a proposal, a suggestion this afternoon that
2 | we can even reduce the number of vehicles on the
3 | road by collection points within the city.

4 | MR. BRADISH: How many trucks would
5 | you be having going down there every day?

6 | THE WITNESS: I believe the earlier
7 | evidence given by Mr. Morgan, the traffic co-
8 | ordinator, was in the area of 750 trucks which
9 | means going in -- if they were going directly to
10 | the landfill site would be one trip and going out
11 | would be another. That totals -- going by memory
12 | here -- without referring to Mr. Morgan for inform-
13 | ation -- that would total 1,500 trips.

14 | MR. PLAXTON: I'm sorry to interrupt
15 | again, Mr. Chairman, but the information is recorded
16 | on Exhibit IIIB. The 1,500 takes into account light
17 | vehicles as well. The actual heavy vehicle count
18 | on the heaviest day which was July 18th was 518
19 | vehicles. That is in and out movement of vehicles
20 | at the existing sanitary landfill site.

21 | MR. BRADISH: You mean on the 7th
22 | Concession?

23 | MR. PLAXTON: This was an estimate
24 | taken at the existing sanitary landfill site in the
25 | city, the volume of traffic was studied there and
26 | this is all in previous evidence and forms part of
27 | the brief. There was recorded 518 movements in
28 | and out, so exactly one half of that would be the
29 | number of truck vehicles going in and the same
30 | vehicles coming out for a total of 518 movements.



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1 MR. BRADISH: Where is he intending
2 to get the property to widen the road wide enough
3 to have shoulders 20 feet, ten on each side?

4 THE WITNESS: We had not designated
5 any particular location for farm vehicles to move
6 on this road.

7 MR. BRADISH: I think it is time you
8 thought about it. Don't think about it after it
9 goes up. Farm machinery is far larger today than
10 it ever was in history.

11 THE WITNESS: Yes, it is.

12 MR. BRADISH: I would like to tell
13 you I came home one night and found some of your
14 men had drilled a test hole right in our gateway.
15 What would you say if somebody went to your property and
16 You found a test hole drilled in your gateway?

17 THE WITNESS: Mr. Bradish, I will
18 personally apologize if that inconveniences you.

19 MR. BRADISH: Why was it done? Have
20 your men no brains at all?

21 THE WITNESS: I saw that test hole
22 in your gateway. It is to the side of the entrance ---

23 MR. BRADISH: It is in the gateway.

24 THE WITNESS: That is true it is in
25 the gateway, but if I may suggest, it is one that
26 is off to the side. May I ask you does it in-
27 convenience you getting into your field? If it
28 does, we will consider how we can correct that. It
29 is on the road allowance.

30 MR. BRADISH: Hold, hold hold! You don't



1 know what is on the road allowance or not. You
2 never surveyed that road.

3 THE WITNESS: Thank you for the
4 correction, Mr. Bradish, but I assume it was on the
5 road allowance line.

6 MR. BRADISH: We don't know. I don't
7 think anybody knows.

8 THE WITNESS: You are right.

9 MR. BRADISH: It is the attitude that
10 city folks come out there and never said a word,
11 never even asked us and the next day there is a
12 whole gang of men back in the back end of the wheat
13 field surveying and they never even asked. I think
14 that is poor relations.

15 THE WITNESS: That is the last thing
16 we want to create is poor relations.

17 MR. BRADISH: You are a little late
18 now!

19 THE WITNESS: Yes, I am a little late.

20 MR. BRADISH: Thank you.

21 --- (Applause)

22 THE CHAIRMAN: Order, please.

23 MR. HARLEY SHORE: I just have one
24 minor statement to make on the road allowance.

25 THE CHAIRMAN: Could we have your
26 name?

27 MR. SHORE: I am Harley Shore and I
28 live on the south side of the 7th Concession. Some
29 years ago we built a new fence along that entire
30 part of our property and we had the Westminster



1 Township Road Superintendent give us the correct
2 location. At that time our fence was set back in
3 the correct spot. I just wanted to get that in
4 the record so if you have to widen the road, you
5 had better check with our Road Superintendent so
6 I don't get another slice off.

7 Thank you.

8 --- (Applause)

9 THE CHAIRMAN: Order, please.

10 MR. VANNESTE: I am very amazed that
11 the City of London doesn't read the Expropriation
12 Act. It says here before you send a survey crew
13 you should ask the farmers. As the representative
14 of the farmers of Middlesex County I am annoyed at
15 this. These people should know that. It is in the
16 Act.

17 THE WITNESS: Mr. Chairman, I am
18 aware of some of the rights of surveyors. We do
19 have an Ontario land surveyor on our staff who is
20 responsible for all surveying. Permission was obtained
21 and the last thing in the world we want to do is to
22 send people in on properties without permission. I
23 personally enquired of this and if I have been
24 wrongly informed that they went in without per-
25 mission, it is unknown to me. I would hasten to
26 remind you and probably you are aware that -- this
27 applies even in the City of London -- our surveyor
28 of the City of London who is an Ontario land sur-
29 veyor has the right to go on a property in the
30 City of London or other property.



1 MR. VANNESTE: That is exactly
2 right, in London. You have the right, surveyors
3 have the right to come on your property but they
4 first must ask. They must ask permission.

5 THE CHAIRMAN: Anyone else who wants
6 to ask a question of this witness?

7 MRS. MARIAN WHITE: I would like to
8 return to the wells for a moment, if I may, Mr.
9 Rowntree.

10 They are going to sample adjacent
11 and local wells. Would you define adjacent or local,
12 please?

13 THE WITNESS: I would suggest that
14 adjacent wells are the wells on the concession roads
15 and side roads adjoining this site, or any other wells
16 that the Ministry would direct us to sample. That
17 was my feeling as far as local wells were concerned,
18 in addition to the wells on the site.

19 MRS. WHITE: This would be the wells
20 along the 7th?

21 THE WITNESS: Seventh and 6th and on
22 White Oak and Wellington Road.

23 MRS. WHITE: There is no concern about
24 any outside that?

25 THE WITNESS: I think that -- I can't
26 anticipate what will happen, but if there was any
27 question of wells being contaminated, I am sure
28 the Medical Officer of Health and the Ministry of
29 the Environment and we ourselves would be interested,
30 most interested in extending the sampling beyond what



1 I have stated.

2 MRS. WHITE: If we felt that we had
3 trouble because of this landfill, what would we have
4 to do?

5 THE WITNESS: My information is that
6 the M.O.H. is prepared to sample wells on request
7 and certainly he has the right to analyze well water
8 and when you asked who you should contact, I think
9 he is directly interested. We are interested, but
10 he is the one who is probably more responsible for
11 water purity than my department.

12 MRS. WHITE: We would have to prove
13 that it was contaminated?

14 THE WITNESS: I think they would have
15 to assess -- may I have your question again?

16 MRS. WHITE: I want to know whether
17 we would have to -- if you would be honest with us
18 enough to prove that that might have contaminated
19 our water?

20 THE WITNESS: I don't wish to dodge
21 your question, but I think it is a legal question.
22 Again I can only state that we want to be good
23 neighbours and I think on the other hand your
24 yourselves as citizens wouldn't want, if I can put
25 it in direct language, to abuse this relationship
26 by blaming the city for something perhaps it
27 didn't do. What I am saying is I think it would
28 have to be assessed in each case.

29 MRS. WHITE: I wouldn't want to abuse
30 you and I know that I could trust you not to abuse



1 yourself. In the past we have had trouble. Thank
2 you.

3 THE CHAIRMAN: If there are no more
4 questions for this witness, I think now we will go
5 to the list of people who have asked to speak.
6 Would you please identify yourself by rising? I
7 think I had three letters but I see they are all
8 from the same company. I have a gentleman here who
9 wants to speak for that company. Maybe we should
10 read -- two of the letters are similar -- I will
11 ask Mr. Kligerman. He may want to add to this or
12 subtract from it. I will ask the Secretary to read
13 these two letters.

14 The first letter is addressed to
15 Robert Kligerman of A.F.D. Investments.

16 THE SECRETARY: Thank you, Mr.
17 Chairman.

18 This is an undated letter addressed
19 to the Ministry of Environment, 135 St. Clair Avenue,
20 West, Suite 400, Toronto, Ontario:

21 "Re: City of London proposed waste dis-
22 posal site in the Township of
Westminster

23 Dear Sirs:-

24 The undersigned, being the beneficial
25 owner of the adjoining lands on which the
26 City of London proposes to erect a waste
27 disposal site strongly objects to such
28 installation because of the pollution,
29 noxious odours and heavy truck traffic,
30 which will naturally ensue, all of which



1 will contribute towards the depreciation
2 of the value of our lands.

3 Yours very truly,

4 MASREDO HOLDINGS LIMITED,..."

5 signed -- I can't make out the signature.

6 Written across the top of the letter
7 is the A.F.D. Investments, Suite 300, 243 Queen St.
8 W., Toronto.

9 The other letter is also -- has written
10 across the top A.F.D. Investments and it is dated
11 July 30th, 1973, addressed to the Environmental
12 Hearing Board, Ministry of the Environment, 135 St.
13 Clair Ave. W., Toronto, Ontario.

14 "Re: City of London-Proposed Waste Dis-
15 posal Site, Township of Westminster.
16 Gentlemen:

17 I have received your registered letter
18 of July 6, 1973 notifying me of the appli-
19 cation of the City of London for a
20 Certificate of Approval for the vicinity
21 of part of Lots 18, 19 and 20, Concession
22 6, Township of Westminster. I have an
23 interest in part of Lot 17 which would
24 appear to adjoin the proposed disposal
25 site. I wish to go on record as strongly
26 opposing the establishment of the proposed
27 site for the following reasons:
28 (a) Should the site be located in the
29 proposed location the area surrounding it
30 would immediately depreciate in value with



1 a resultant hardship on land owners of
2 the immediate vicinity when disposing of
3 their property.

4 (b) The inevitable presence of large
5 dump trucks going to and returning from
6 the dump will result in a considerable
7 amount of dust and noise, disturbing the
8 residents greatly.

9 (c) The dump in itself would be very
10 unsightly and possibly result in an un-
11 pleasant odour in the hot summer months.

12 (d) This land was purchased by us for
13 development for future residential
14 housing subdivisions and the location of
15 a garbage dump at our door, needless to
16 say, would create a hardship of the worst
17 order upon us and cause us substantial
18 financial loss.

19 For the above stated reasons I feel
20 that the City of London should look else-
21 where for their dump, in an area further
22 removed from settled, developed, prime
23 farm land."

24 Yours truly,

25 Andy Bortolotti,
26 Partner."

27 THE CHAIRMAN: The other letter is
28 similar. One comment is written in.

29 THE SECRETARY: Item (c) in this
30 letter reads: "The dump in itself would be very un-
sightly and possibly result in an un-



1 pleasant odour in the hot summer months
2 including the attraction of rodents."

3 THE CHAIRMAN: These are the letters
4 I thought should be read into the record.

5 Mr. Robert Kligerman of A.F.D. Invest-
6 ments is here?

7 MR. KLIGERMAN: Sir, in A.F.D. Invest-
8 ments, there are just three gentlemen who are behind
9 A.F.D. Investments. The A.F.D. stands for the initial
10 letters of our first names there. The proposed
11 landfill project which is under consideration today
12 is obviously of great importance to a number of
13 widely divergent interests. The City of London, in
14 need of a place to dispose of its garbage commissioned
15 a firm to find a site for the most economical type
16 of solid waste disposal, that being a landfill project.
17 Not surprisingly the present proposed location cannot
18 be faulted on technical grounds. We are in no position
19 to dispute the soil studies, location adjacent to
20 proper roads, and absence of any major rivers or
21 streams, and the site being a proper distance from
22 the city. However, the proposed location vitally
23 affects many other interests, those being the persons
24 whose land will be taken from them and as well the
25 owners of land surrounding the site. Also the
26 interests of the public in general must be considered
27 in light of what is the best and most efficient use
28 of the land for the present and foreseeable future.

29 Our clients, as owners of a substantial
30 quantity of land adjacent to the proposed landfill site,



79

1 must go on record as being in vehement opposition
2 to the project. We feel that the proposed site is
3 inappropriate and unacceptable in view of the type
4 and character of the land as well as the land's
5 present use and location. The public interest would
6 be ill-served if this site were approved for not only
7 would valuable land be, at least temporarily destroyed,
8 but the surrounding area would be affected to a degree
9 that has been grossly under-estimated.

10 Landfill operations of the type pro-
11 posed here, far from being new and innovative have
12 been used for many years in thousands of communities.
13 They have met with great success and approval by
14 the public for a number of reasons. The landfill
15 replaced the dump thus eliminating disease, smell,
16 smoke and other associated ills. The landfill also
17 had the affect of dramatically improving the final
18 appearance of the site. This was because sites
19 were predominatly on barren, depleted or abused
20 land which was transformed into landscaped green.
21 As the low use of the land was increased to a higher
22 value so also the surrounding property values were
23 enhanced.

24 But, however, the proposed site of the
25 City of London's landfill project is far different
26 from waste land. Far from improving the site we
27 feel that it is a near impossibility that the land
28 will even be returned to its present level. And in
29 the interim 20 years or more prime farmland will be
30 turned into a garbage receptacle. We admit that a
landfill is not as objectionable as a dump, but there



1 remains certain objectionable amounts of dust,
2 litter, smell that cannot be eliminated. And the
3 fact remains that farms will be taken from their
4 owners and torn and ripped apart by heavy machinery.
5 It is submitted that a landfill site can only be
6 justified where the land is repressed such as a
7 ravine, swamp or abandoned pit or in other words,
8 where the landfill project would actually improve
9 the site itself. It seems inconceivable that valuable
10 land which is being intensively farmed and whose
11 productivity has been proven would be taken for such
12 a use.

13 Financial necessity also dictates
14 that waste land be used for landfill sites due to
15 the not unexpected high cost of acquiring rich pro-
16 ductive land. Many communities never actually
17 purchase landfill sites because owners are more than
18 happy to have their land improved. However, this
19 particular site will be expensive to acquire. We
20 dispute the city's estimated cost of acquiring the
21 land and feel that based on recent prices paid in
22 the area for similar land an estimated cost in excess
23 of \$1,000 an acre is more accurate. We have some
24 particular knowledge in this area as we recently
25 purchased our present holdings. This would bring the
26 capital cost of acquiring the land to around half a
27 million dollars.

28 The city has tried to sweeten the pill,
29 as it were, by promising to return part of the land
30 to an agricultural use after the completion of the



1 project. However, this proposed eventual use of
2 the land must be viewed in the context of the pro-
3 blems commonly experienced with landfills. For no
4 matter what methods are used it is impossible to
5 change the nature of the beast; the problems always
6 remain. However, in the past they have always been
7 justified, or rather can be rationalized because the
8 problems are being experienced in relation to land
9 that was not useable before. The asset created by
10 the landfill became a little less of an asset. Here
11 the problems would result in a continuous downgrading
12 of the area's value.

13 One problem commonly experienced is
14 settlement of the land in the completed site. One
15 figure is an average amount of 11% settlement can
16 be expected after two years. Further, such land when
17 in recreational use needs constant evening out and
18 repair to keep the land level and the garbage fill
19 covered. Hardly a location that a practical farmer
20 would want to use as a site for intensive agriculture.
21 An agricultural use would be extremely difficult and
22 expensive as an effective irrigation system would be
23 necessary to irrigate land kept warm by the degrad-
24 ation of garbage underneath and completely dry due
25 to being many feet above the normal soil level.

26 Decomposition of the garbage fill
27 is also almost unavoidable. Methods can be used to
28 inhibit or shunt off the effects but the problem
29 usually remains. In a 1971 study entitled Municipal
30 Waste Disposal the authors said:



1 "Little quantitative information is
2 available on the degradation of waste
3 materials under landfill conditions. The
4 degradation takes place by inorganic
5 leaching and by biological anaerobic
6 degradation of the cellulosic and other
7 organic materials. It is also conceivable
8 that some degradation of inorganic con-
9 stituents may occur by biochemical routes.
10 Inflammable gases, notably methane, are
11 generated and the leachate contains a
12 great variety of inorganic and organic
13 compounds. These materials, including
14 even the carbon dioxide evolved, can pro-
15 vide a serious water pollution hazard:
16 The degradation proceeds very slowly
17 and thus the pollution hazards exist for
18 years..."

19 The inevitable result is heat from
20 the degradation, methane, carbon dioxide and a liquid
21 run-off growing more concentrated as it filters
22 down through more layers of garbage.

23 It seems that a large amount of run-
24 off of a polluting liquid is unavoidable and will
25 continue long after the project is completed. This
26 could mean 20 or 30 years. We have taken notice of
27 the policy adopted by the City of London with respect
28 to sanitary landfill sites. However, we feel this is
29 insufficient protection. Policy cannot be enforced
30 and can be easily changed or ignored. There is no



1 guarantee the city will be concerned about maintenance
2 in five or 10 years time let along after 20 or
3 30 years. The amount of pollutants produced by so
4 many acres of garbage must demand a large amount of
5 care and supervision which we feel the city will not
6 continue to provide. This submission is based on the
7 city's past record in running its landfill sites as
8 well as the high cost of such attention. It is
9 difficult to the extreme to isolate a landfill pro-
10 ject completely from its surroundings. However, the
11 buffer provided is considered inadequate. With such
12 a location this must be the case. Crops fertilized
13 with liquid waste, even in tiny concentrations would
14 find no market and rightfully so.

15 In this regard the system of leachate
16 drains proposed by the site as being able to deal
17 with the leachate problem must be examined. The
18 depth and quantity of leachate drains needed at
19 any particular site depends on the depth of the bed-
20 rock level, type of soil and levels and composition
21 of garbage. The system of drains proposed by the
22 city must be considered only adequate; only able to
23 contain a part of the problem. The amount of garbage
24 and final slope of the project must in our opinion
25 produce a flow of effluent onto neighbouring land.
26 And the neighbouring land is in a use most sensitive
27 to such pollution, that of agriculture.

28 We feel that before such a project
29 is approved there must be a greater study and concern
30 for the efficiency of the leachate drain system without



1 which disaster is almost inevitable. Also we feel
2 most strongly that the city should be under a direct
3 liability to maintain the project in conformance with
4 their policy guidelines. There should be a periodic
5 inspection system by independent bodies who would
6 report on the city's performance.

7 We seriously doubt if the land will
8 ever be put back into productive use. We also feel
9 that the risk of contamination of neighbouring land
10 is so great as to be inevitable. The value of our
11 adjacent land will surely drop immediately due to
12 the normal subjective factors working on public
13 opinion. Few people are interested in land located
14 near a landfill site no matter how nice it is. We
15 are further convinced that objectively viewed the
16 quality and productivity of the land will be severely
17 hurt in the future if the landfill project is approved.

18 In conclusion we submit that the
19 capital investment needed to acquire the site is
20 not justified by the use that will be made of the
21 land by the city and the corresponding loss of use
22 by the public. We submit that the very nature of
23 a landfill and the large size of this proposal makes
24 the proposed location inappropriate because of the
25 harm that will be caused on surrounding lands far
26 into the future. Finally, we submit that the completed
27 site will never again be of any productive benefit -
28 good land will be lost forever.

29 THE CHAIRMAN: Thank you.

30 MR. PLAXTON: I have a question to



1 direct to Mr. Kligerman. For the assistance of the
2 Board, perhaps Mr. Kligerman could approach one of
3 the maps and show the parcel of land he has invested
4 in and indicate how many acres it is.

5 MR. KLIGERMAN: I believe it is
6 approximately 180 acres (indicating).

7 MR. PLAXTON: More or less in the
8 northeast corner of the total concession block?

9 THE CHAIRMAN: Thank you. Would you
10 take the microphone and indicate where your property
11 would be?

12 MR. KLIGERMAN: The property is in
13 the northeast corner. Looking here, I believe it
14 is approximately 180 acres.

15 MR. PLAXTON: Does it immediately
16 abut the proposed landfill site?

17 MR. KLIGERMAN: It doesn't immediately
18 abut it but we feel it is close enough to present
19 a real danger.

20 MR. PLAXTON: Do you or the owners
21 of the land directly farm the land?

22 MR. KLIGERMAN: I really don't have
23 that information. I imagine it is presently used
24 as farmland now. The owners did not mention this
25 to me.

26 MR. PLAXTON: When they bought it, how
27 was this land zoned?

28 MR. KLIGERMAN: Some of the is zoned
29 agricultural and the master plan of the area shows
30 that land within this area is not intended to be



1 residential.

2 MR. PLAXTON: When you say in your
3 brief it was bought for the purpose of a subdivision,
4 that would be a remote possibility in your view?

5 MR. KLIGERMAN: This is true. In
6 the brief it did -- it was written by one of the
7 partners personally.

8 MR. PLAXTON: You admit that the
9 land is zoned and designated for rural purposes?

10 MR. KLIGERMAN: Yes.

11 MR. PLAXTON: And the long term plan
12 of the Municipality of Westminster is for those
13 purposes?

14 MR. KLIGERMAN: This is true. The
15 land will continue to be used for farm for many
16 years to come. This is why we think putting a
17 fill site in this area is such a great danger.

18 MR. PLAXTON: The reference in
19 your brief, which there was one to a proposal for
20 a subdivision, residential subdivision of the land
21 is really not correct, is it?

22 MR. KLIGERMAN: In the brief I have
23 just presented there was no reference at all to a
24 subdivision. The reference was in a letter from
25 one of the partners that was read by the Secretary.

26 MR. PLAXTON: Perhaps I am tying it
27 back to the people you represent. That was not in
28 your brief. It was in this letter. The letter is
29 clearly inaccurate in that regard?

30 MR. KLIGERMAN: Clearly.



1 THE CHAIRMAN: Are there any other
2 questions anyone would like to ask Mr. Kligerman?

3 MR. PLAXTON: Would you also agree
4 your land is upstream, out of the drainage area that
5 is involved in the subject site?

6 MR. KLIGERMAN: We feel that the
7 land is close enough to the site so that it will be
8 affected, whether remedially because of a direct
9 flow or in 30 or 40 years because of some seepage
10 through the area, or even by an effect to neighbour-
11 ing farms that will ecologically hurt any product
12 from them.

13 MR. PLAXTON: But it is not in the
14 same drainage area?

15 MR. KLIGERMAN: I'm not acquainted
16 with the exact flow of the drainage in the area.
17 We feel the proposal is not really affected by our
18 land being upstream.

19 MR. PLAXTON: I was just trying to
20 get an answer to a question. That is all, Mr.
21 Kligerman. Mr. Kligerman doesn't know either way.

22 THE CHAIRMAN: Any further questions?

23 I had another letter from the same
24 firm from Mr. Tirrol.

25 MR. KLIGERMAN: I don't believe he
26 is here today, Mr. Chairman.

27 THE CHAIRMAN: I have another written
28 brief that I think should be read. The solicitor
29 for this party was here for two days and then he
30 had to leave. I will have it ^{read} /into the record. I will



1 have the Secretary read it into the record and if
2 there are any comments -- we can't question the
3 party, but if there are any questions, they can be
4 asked.

5 THE SECRETARY: The brief is dated
6 August 1, 1973, Mr. Chairman, and it's entitled:

7 "BRIEF PRESENTED TO THE ONTARIO ENVIRON-
8 MENTAL BOARD ON BEHALF OF STANTHEL FARMS
9 LTD. WITH REGARD TO PROPOSED LANDFILL
10 SITE FOR THE CITY OF LONDON

11 Stanthel Farms Limited owns 140 acres
12 of farm land located on Lot 19 and part of
13 Lot 20, Concession 5, in the Township of
14 Westminster as well as 100 acres of
15 property on the East side of Wellington
16 Road in the said Township. Both pro-
17 perties are situate on the North side of
18 the 6th Concession Road and that property
19 located West of Wellington Road is situat-
20 ed directly to the North of the proposed
21 sanitary landfill site, W-12A.

22 The main activity of the farm is the
23 raising of dairy cattle, on the land
24 located North of the proposed site. Both
25 properties are used for the growing of
26 feed crops for the herd, namely, oats,
27 barley, corn and hay.

28 Mr. Victor Morris, office manager for
29 the MacLaren firm which prepared the
30 engineering report on the proposed site,



1 pointed out to the Board that a watershed
2 between the Dingman Creek on the North and
3 Kettle Creek on the South runs through the
4 proposed site. The general drainage of
5 the site is a North to South slope of
6 1/2% to 1% and the general run-off pattern
7 is in this direction and emptying into
8 the Kettle Creek. However, a small
9 section in the Northwest corner of the
10 proposed site drains from South to North
11 into the Dingman Creek and emptying into
12 the Thames River.

13 On the above North side of the water-
14 shed is a ditch four feet wide and four
15 feet deep. This ditch progresses across
16 the one thousand foot buffer zone propos-
17 ed to be left North of the site, then
18 enters a culvert under the 6th Concession
19 Road and continues in a Northerly direct-
20 ion across the farm property.

21 The proposed disposal plan calls for a
22 daily cell system whereby compacted waste
23 will be placed in an excavation 100 feet
24 by 60 feet by eight feet deep, to a level
25 of two feet, and this will then be covered
26 with a cap. The total cell is to be
27 filled to the depth of eight feet on the
28 above system, at which time a one foot
29 thick cap of compressed clay will be used
30 to seal the completed cell. It is the



1 opinion of the engineers such a closing
2 off will effectively seal in any contamin-
3 ate produced in the waste and all such
4 leachate will drain off through a granular
5 layer at the end of the cell and collect
6 in the leachate drains from which it can
7 be recovered and trucked from the site
8 for treatment in the City of London.

9 Our concern in presenting this brief is
10 that of run-off in the Northwest portion
11 of the site. In the spring when there is
12 melting snow and heavy rainfall the run-
13 off is extremely heavy. The drainage
14 ditch mentioned above is at such times
15 filled to the full four foot height and
16 flows like a small stream across the farm
17 property. With such a heavy run-off and
18 the thawing occurring in the spring it is
19 our concern that the clay cap being placed
20 on the cells could be broken allowing
21 contaminated leachate to enter the run-
22 off flow and be carried through the ditch
23 mentioned earlier.

24 The city's proposal calls for leaving
25 the drainage patterns the same as now
26 exists. A surface drainage ditch is also
27 proposed around the entire site. Accord-
28 ing to drawings submitted to the Board,
29 on a scale of 1" = 40', the ditch would
30 appear to be approximately 15' wide and



1 6' deep. It is our opinion that such a
2 ditch would be inadequate to deal with
3 the run-off experienced in the area and a
4 spillage into the ditch and across the
5 farm property would occur.

6 The model presented to the Board makes
7 no provision for any type of collection
8 pond in the Northwest portion of the site.
9 The only provision to catch run-off is,
10 therefore, the surface drainage ditch
11 mentioned above.

12 When the ditch running across the farm
13 property is full, the cattle drink from
14 this run-off water. If contaminates enter
15 the run-off and are contained in the water
16 the cattle are drinking, it must be ex-
17 pected contamination of milk, resulting
18 in possible cancellation of our milk
19 licence, sickness or death of our cattle.
20 The best guarantee which can be offered
21 is that sampling of the water will be
22 done every two weeks and lab tests run
23 to detect contamination. This is little
24 consolation if such results are presented
25 after the fact. The engineers give
26 assurances that no cracks will develop
27 in the clay caps, yet their own soil
28 expert states that in dry weather clay may
29 crack to a depth of four to five feet.
30 A heavy summer rain will create run-off



1 situations as outlined above, and if such
2 cracks have occurred leachate may escape
3 and be carried onto the farm property.

4 It is of little comfort to be told the
5 city is probably liable for our damages.

6 On other major concern with run-off is
7 the possibility of its entering old wells
8 situated throughout the site area. The
9 city states that it is not possible to
10 locate all these old well sites. Some
11 may not be sealed. If contaminated run-
12 off enters the old wells it may then en-
13 ter the aquifer and be carried to the
14 water supplies of the entire surrounding
15 area.

16 Another concern we have is with regard
17 to debris and garbage being blown onto
18 surrounding property from the proposed
19 site. The MacLaren firm has recommended
20 a fourteen foot netting be installed
21 around the working area to prevent debris
22 from escaping. It is our experience
23 that during dry spells, such as may occur
24 during summer months, frequent whirlwinds
25 are present which will lift the debris to
26 a considerable height and scatter it
27 about neighbouring properties. The pro-
28 posed netting in our opinion will be
29 inadequate to contain such debris.

30 The city has stated it will provide



1 staff to monitor the concession roads
2 and property around the site to collect
3 the debris which escapes. However, such
4 clean-up operations may not be accomplish-
5 ed before cattle have eaten such debris
6 and become ill. Also, the city has not
7 proposed any scheme which may compensate
8 farmers for crops damaged during such
9 collection.

10 When operations are recommenced in the
11 Northwest section of the site, there will
12 be considerable noise from the equipment
13 during excavating and compacting. Such
14 noise will undoubtedly upset the cattle
15 and when excited no milk can be obtained,
16 thus causing some disruption to our live-
17 lihood. While we realize this effect may
18 not occur, it is a factor we feel should
19 be brought to the Board's attention.

20 A final objection relates to the
21 traffic flow generated by the landfill
22 site. A substantial increase in North-
23 bound and Southbound traffic will be
24 created by vehicles proceeding to and
25 from the landfill site. As pointed out
26 earlier, the farm owns property to the
27 East of Wellington Road and the 6th
28 Concession. This property is used to
29 grow feed ..."

30 correction, correction, correction ---



1 "This property is used to grow feed for
2 the cattle which, when harvested, must
3 be transported by slow-moving farm
4 vehicles across Wellington Road to the
5 property North of the site. With in-
6 creased traffic flow such a crossing
7 would become extremely difficult and may
8 increase the potential for accidents in
9 an already high accident area. According
10 to the city's traffic report no signals
11 are contemplated for the area.

12 While the city's plans call for a
13 designated traffic flow down Wellington
14 Road to the 7th Concession and along the
15 7th to the site entrance, undoubtedly
16 traffic will use the 6th Concession Road
17 if delays occur on Wellington Road. Such
18 potentially increased traffic flow will
19 create difficulties with herding which
20 is presently carried on along the 6th
21 Concession, with a potential for accident
22 attendant therewith.

23 This brief is submitted this 1st day
24 of August, 1973.

25 STANTHEL FARMS LIMITED."

26 This copy is unsigned.

27 MR. PLAXTON: We have one or two
28 comments about that.

29 The property in question lies to the
30 north of the 6th Concession Road. I'm going to ask



1 Mr. Morris who has seen the title search that
2 we had done in our office to indicate on one of
3 these Exhibits the location of that land and then
4 indicate the watershed and the extent to which it
5 will affect this operation and this watershed.

6 THE CHAIRMAN: Do you have a copy of
7 this?

8 MR. PLAXTON: Yes.

9 THE CHAIRMAN: Who was that solicitor
10 who was here?

11 MR. WRIGHT: His name is Arnold and
12 I believe he is with Cram & Blackwell.

13 MR. MORRIS: Mr. Chairman, that is
14 the extent of the Stanthel Farms property. It is on
15 the north side of Concession Road 6, in this area
16 here (indicating). The landfill site is in this
17 location (indicating). This line is the north limit
18 of the Stanthel site. It's on the height of land
19 between the Dingman Creek watershed and the Kettle
20 Creek watershed. The ditch which will be installed
21 along here (indicating) collects only the surface
22 water run-off from the north slope of the site and
23 is conducted around the site. The general slope is
24 to the south and that will be maintained in the final
25 grading of the site. That is the portion which does
26 drain into the Dingman Creek. It is this creek area
27 shown here which would be on this part of the site.
28 There is also a drainage system from this corner,
29 this being inside the site and will not be affected.
30 This is part of the area which will have to be ditched



1 around the fill area and taken to the present site.
2 It flows this way and this way (indicating) and we
3 expect no flow from the landfill site will go across
4 the road to this farm property.

5 THE CHAIRMAN: Did I understand you to
6 say that no flow would go onto that property?

7 MR. MORRIS: There is flow from the
8 south side of Concession Road 6 across here but
9 that starts on this limit. It drains this way and
10 this way. (Indicating)

11 THE CHAIRMAN: Any other comments in
12 regard to this?

13 MR. PLAXTON: There are no other
14 comments from us, Mr. Chairman.

15 THE CHAIRMAN: I had intended to call
16 the people on this list. There is a lady who would
17 like to read a letter. I would be glad if you would.

18 MRS. MARION HOUGHTON: The members
19 of St. Andrew's Women's Institute wish to express
20 their opposition to the City of London's proposal
21 to establish a sanitary landfill site on a 500-acre
22 block in Westminster Township.

23 We are opposed to having such a large
24 tract of land be put out of agricultural use in this
25 way. With the cost of living increasing so rapidly
26 and fears of food shortage throughout the world, we
27 believe all available farmland should be kept in
28 production.

29 We are very concerned about the
30 pollution that such a concentration of garbage would



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1 cause. Seepage and run-off of chemical, et cetera,
2 would affect neighbouring fields. Who could guarantee
3 that eventually the water supply and wells of the
4 vicinity would not become contaminated? Wind-blown
5 papers, plastics and debris would litter the country-
6 side. Rodents, flies and other pests would be attracted
7 to the site. Trucks hauling garbage and machinery
8 working at the site would add air and noise pollution.
9 The odours from such an area would be sickening at
10 times.

11 We are also concerned about the in-
12 crease in heavy vehicular traffic on the surrounding
13 roads. The Wellington Road is heavily travelled now
14 and has a high accident rate. Many school buses
15 travel the Wellington Road, and some school buses
16 use the side roads around the proposed site. We
17 believe that so many garbage trucks added to the
18 present day traffic will create serious hazards.

19 We feel that properties around a
20 landfill site would be devalued. We know that some
21 residents in the proposed site do not want to sell
22 their homes. Why should they be forced to do so?

23 These are some of the reasons we are
24 opposed to having a sanitary landfill site in
25 Westminster Township. We are hoping to have your
26 support in opposing London's proposal.

27 Thanking you for your consideration,
28 we remain,

29 Yours truly,

30 St. Andrew's Women's Institute.



1 Signed (Mrs. Ross) Marion Houghton, Secretary.

2 THE CHAIRMAN: Would you file that
3 letter with the Secretary, please?

4 MR. PLAXTON: The concerns raised
5 in the letter have been dealt with. We ask the
6 Board to consider the letter in the light of the
7 evidence given by various witnesses for the City
8 of London.

9 THE CHAIRMAN: You are not going
10 to ask any questions?

11 MR. PLAXTON: That is my only comment.

12 THE CHAIRMAN: I have a number of
13 things here. You may want to question some people
14 on these a little later. I had a request from the
15 Federation of Agriculture to appear on Tuesday or
16 Wednesday and I'm not sure whether they want to go
17 on today or -- it looks like we're not going to
18 wind up tonight. Do you want to hold the Federation
19 brief until tomorrow?

20 MR. VANNESTE: Yes.

21 THE CHAIRMAN: William Fetter. I
22 think he spoke a couple of times before.

23 Harley Shore. Do you want to add
24 anything to what you've already said, Mr. Shore?

25 MR. WRIGHT: It was my intention
26 to put Mr. Shore in as a witness on behalf of the
27 Citizens' Committee. Mr. Sifton would be a witness
28 also.

29 THE CHAIRMAN: Mr. McDougall. Do
30 you have a brief you want to put in?



1 MR. McDOUGALL: I can wait until the
2 morning.

3 Mr. Chairman, with your permission
4 I propose to read this brief and then make some
5 short comments after reading the brief.

6 Submission to the
7 Environmental Hearing Board
8 Government of Ontario

9 July 30, 1973.

10 Submitted by Elginside Farms Limited.

11 Re The proposed City of London Dump in Westminster
Township

12 THE CHAIRMAN: Can you raise your voice
13 a bit? Can you hear at the back?

14 MR. McDOUGALL: As a farmer resident
15 of Westminster Township, I welcome this opportunity
16 to present my thoughts on the proposed project at
17 this hearing. They consist of questions that reflect
18 my concerns, as well as some proposals for consideration.
19 They are submitted without any hostility on my part
20 toward the City of London, and in the knowledge that
21 others may have given the matter a good deal more
22 study than I have been able to do.

23 1) Are the authorities certain there
24 there are no available sites for waste disposal pur-
25 poses within the boundaries of the Municipality
26 of London?

27 2) If indeed there are no sites avail-
28 able within the city boundaries, then my second question
29 is this: are there no sites within reasonable distance
30 of the city which could be selected for a dump that



1 would not involve the expropriation of productive
2 farmland? It seems very unwise to me to choose
3 productive land, if unproductive land is available
4 for such purposes.

5 3) If it turns out that the answers
6 to my first two questions are negative, and the
7 site in Westminster Township is as acceptable to
8 the authorities as any others, then I would like to
9 seriously suggest that the 450 acres that is to be
10 purchased for the dump is an excessive amount of land.
11 In my view, it represents far too large an acreage
12 to meet the waste disposal needs of the City of London
13 on any short term basis. Surely, on any intermediate
14 or long term basis, we can no longer accept the idea
15 in this Province of using productive farmland for
16 waste disposal purposes. Good farmland is just not
17 that plentiful, and it must be conserved for the
18 future. Other ways and means must be found in the
19 next decade or less to handle urban waste. I shall
20 have more to say about this later.

21 I would like to point out that all
22 of the 450 acres being considered for the dump site
23 are under cultivation at the present time. The land
24 is being used to serve and maintain four dairy
25 farms, and for cash crop purposes. In addition,
26 within and surrounding this proposed site, there is
27 an underground water supply which, at one time, was
28 used by the City of London to meet a part of its
29 fresh water needs (known as the White Oaks Wells).
30 While the City of London has replaced this supply of



1 water from Lake Huron, it is needed by the farming
2 community. Its purity should not be placed in
3 jeopardy by seepage from a garbage dump.

4 In my judgment, these are all good
5 and sufficient reasons for limiting the proposed
6 acreage for the site to an amount of land a good
7 deal less than the proposed 450 acres, and thus
8 preserve at least a portion of it for farm use.

9 4) If the project is proceeded with
10 on even a reduced scale, I suggest that local re-
11 sidents of Westminster Township should be protected
12 by a binding agreement in the event that their water
13 supply is contaminated in the future due to seepage
14 from the dump site.

15 5) Finally, if the authorities give
16 any kind of approval for a site in the proposed area,
17 I propose that those who reside on the perimeter of
18 the site should be granted compensatory payments for
19 the lowering of the value of their property. In this
20 connection, I submit that no one likes to live next
21 to a dump. There are problems of odours, no matter
22 how well the dump may be managed, and there will be
23 extra traffic and noise to put up with in connection
24 with the development and regular use of the site.
25 There can be little doubt that the value of the
26 adjacent property will fall as a consequence.

27 6) In conclusion, and as a final
28 proposal, I would urge the Government of Ontario
29 to make a thorough study of how urban waste ought
30 to be handled in the future, with a view to bringing



1 forward a Province-wide plan. The problem is far
2 too large a one for each municipality to tackle
3 on its own. The government should step up its re-
4 search in this area so that our citizens may look
5 forward to the day, in the not too distant future,
6 when waste will not have to be dumped on productive
7 farmland.

8 I wish to expand on a few areas in
9 the brief, Mr. Chairman.

10 Referring to the need to reserve
11 agricultural land it has been said and rightly so
12 that the people of Ontario or the people of Canada
13 have oodles of land to produce their needs, but
14 we haven't realized in the last six months -- I
15 am sure we will in the next few months before us --
16 that the world needs all the agricultural land that
17 is available. All at once some of us realize this,
18 that other countries have found the money to live
19 similar to the way we in North America live and,
20 therefore, they are willing to pay and I assume
21 they will continue to be willing to pay this much
22 or more than local residents or local consumers for
23 our Canadian products. It is important throughout
24 Ontario, a viable agricultural industry for this
25 economy.

26 It would be a sad day and I use the
27 word with all respect -- God help us if we come to
28 the time when we cannot produce enough beef for
29 ourselves or our province. The land is finished.

30 In connection with the landfill site,



1 it is quite evident that there is some concern
2 about this so this goes by the wayside. Today we
3 have lots of water. The need for building will
4 cease but increasing needs will never cease. There
5 are more people and more livestock and there are
6 more and greater demands calling on water. We
7 know this water is here. We know that there has
8 been an excess of 6 million gallons a day pumped
9 out of this area. We know this and have seen very
10 clearly running a very high risk to take and pile
11 30 feet of garbage immediately over this water
12 supply. There is not one other thing that we could
13 do to have a greater risk of polluting this water
14 than what is suggested.

15 These are my comments, Mr. Chairman.

16 MR. PLAXTON: I would like to ask
17 Mr. McDougall something in connection with this.
18 I would like as well to clarify a number of things.
19 This is not substantial, however. This submission does
20 refer to the size of the area and the first statement
21 by Mrs. Houghton referred to 500 acres and the press
22 has been referring frequently to 500 acres. The
23 total is 405 acres. The total, grand total, not
24 450 as expressed in the last brief. I don't wish
25 to be critical of this brief because I think it
26 was very well done. I congratulate the proponent
27 of the brief. I think it is the kind of thing
28 that should be said here. I can't agree with it
29 all, but I certainly respect the right of this man
30 to come here and speak the way he has. I also think



1 he spoke very well as well. I would like to con-
2 gratulate him.

3 Elginside Farms Limited has presented
4 this brief, but the name of the individual who
5 spoke has not been given. I would like to hear
6 that.

7 MR. McDUGALL: The name of the farm
8 is Elginside Farms Limited and I'm Ray McDougall
9 and I operate that farm. I would like to make one
10 further comment, Mr. Chairman.

11 It wasn't our intention of concern
12 about the water but the concern for the area that
13 farmers wouldn't be given consideration if their
14 water became contaminated. Those on the concession
15 road surrounding the site, I would like to point
16 out why the City of London was pumping water from
17 this same area that wells were contaminated as far
18 as six miles from that site. In my opinion some
19 consideration should be given far beyond the site.
20 Thank you, sir.

21 MR. PLAXTON: I simply asked that
22 the evidence weigh -- we have had the evidence.
23 You can take the evidence -- apply any evidence
24 to the questions that have been raised and the
25 same statement that I made in reference to the
26 other submission applies here.

27 THE CHAIRMAN: Thank you. Thank you
28 very much. Does anyone else want to comment on this
29 brief?

30 Now I have the name of Ken McDougall.



1 Mr. Ken McDougall?

2 MR. KEN McDOUGALL: Mr. Chairman, I
3 am Ken McDougall and I am President of the Middlesex
4 Pork Producers Association.

5 What I have here is simply a statement
6 of position that has been issued by the Middlesex
7 County Pork Producers Association and it reads as
8 follows: "In view of the fact that only 4% of
9 the land area of Ontario is reasonably
10 productive for agricultural purposes,
11 we the Middlesex Pork Producers Associat-
12 ion feel that the policy of using land
13 as a sanitary landfill area can only have
14 a detrimental effect on the future
15 supplies of food.

16 We realize the severity of the waste
17 disposal problem, but want to emphasize
18 that solutions other than sanitary land-
19 fills be thoroughly investigated.

20 We feel strongly that the continued
21 misuse of our natural resources in this
22 manner is in the least interest of society
23 as a whole."

24 THE CHAIRMAN: Do you have any comments?

25 MR. McDOUGALL: I might comment that
26 this was made prior to the hearing and maybe re-
27 presentatives of the city might dispute some of
28 the things in here that that land is going to be
29 used as agricultural land. I've been in contact
30 with the majority of the members of the Board and we



1 still feel this is not a practical solution to
2 the problem.

3 THE CHAIRMAN: Any comment anyone
4 wants to make?

5 MR. PLAXTON: None other than the
6 one I made already in connection with the previous
7 submissions.

8 MR. WRIGHT: May I ask how many people
9 are being represented by the Pork Producers Association?

10 MR. McDOUGALL: I don't have the exact
11 figures with me. I think within Middlesex County
12 there are about 3,600.

13 THE CHAIRMAN: Was this brief approved
14 by the 3,600 or just the local members?

15 MR. McDOUGALL: This statement of
16 position was prepared by the elected representatives
17 of those producers at a board meeting.

18 THE CHAIRMAN: Thank you.

19 MR. PLAXTON: No further questions.

20 THE CHAIRMAN: I have the name of
21 Fred C. Thompson, Rural Route 1, Glanworth. That may
22 not be the right name.

23 MR. SIFTON: There is a Fred Thomas.

24 MR. PLAXTON: Is there a Mr. Fred
25 Thomas here?

26 MR. SHORE: He was here yesterday and
27 spoke on the mike for a few minutes yesterday. He
28 may be here tomorrow.

29 THE CHAIRMAN: I will call him again
30 tomorrow morning.



1 Fred W. Bradish. I think he was here
2 today and spoke. Do you want to make any further
3 comments?

4 MR. BRADISH: I think Mr. Wright will
5 be looking after that.

6 MR. WRIGHT: Yes.

7 THE CHAIRMAN: Then I have Orville D.
8 Jones, Rural Route 4, London. Is Mr. Jones here?

9 A SPEAKER: I don't believe Mr. Jones
10 is here today. He might be here tomorrow.

11 THE CHAIRMAN: William G. Girling?

12 MR. GIRLING: I don't know if Mr.
13 Wright wants to do this or he wants me to attend to
14 it.

15 THE CHAIRMAN: Do you want to read a
16 brief?

17 MR. GIRLING: Yes.

18 There is a short preamble here that
19 leads into what I want to say.

20 Our family has lived in the north-
21 easterly sector of Westminster Township for 22 years.
22 In that time we have seen many changes wrought in the
23 landscape of this township. Half a mile to the south
24 of us, 401 Highway was built, stretching in an east
25 and west direction. It gobbled up many, many acres
26 of valuable agricultural land.

27 Later we were encroached upon by
28 Highway 126 on our western limits, just 500 yards
29 from our house. This too meant the loss of valuable
30 agricultural land. Besides that we lost all privacy.



1 We were then bounded on the north by
2 a new road and a \$500,000 overpass over Highway 126,
3 a joint effort by the City of London and Highways
4 Department of Ontario. This affected us mostly,
5 as it encroached upon our property and we were
6 forced to give up acreage so that it could be
7 completed.

8 In all of these developments, we have
9 seen great changes occur in the ecological patterns
10 of the area. Wildlife habitats were destroyed,
11 wood-lots were eliminated, marshy areas and small
12 ponds drained. Many species of birds and mammals
13 have never been seen again in the area.

14 The same things will happen in the
15 landfill site if developed in Westminster Township.
16 True, there are not any large wood-lots to be des-
17 troyed in the area but there are habitats of hedgerows,
18 grasslands, marshy areas and small ponds. True,
19 much of the land is agricultural, but good farming
20 practices go along with many species of animals that
21 frequent more open areas.

22 The area under consideration has long
23 been favoured by naturalists for observation and
24 recording of many different species of birds at all
25 seasons of the year. There have been many notable
26 records of outstanding species that have frequented
27 the area. All of these are well documented but it
28 would take too much time to relate all of them here
29 today. The grassland is ideal cover for mouse popu-
30 lations and this in turn brings in many hawks and owls,



1 besides providing food for other animals.

2 It is very difficult to assess just
3 what damage is being done on an ecological scale, in
4 the upsetting of the balance of nature, as this
5 landfill operation undoubtedly would. My concern (and
6 that of others is evidenced here today) is twofold.

7 1. As a matter of principle, why should
8 the City of London be allowed to acquire land in
9 Westminster Township when it still has available
10 sites within its boundaries? Perhaps with the
11 anticipated "flood Proofing" of the Coves area it
12 should be reconsidered as a landfill site. I say
13 this advisedly because this had been discussed at
14 one time.

15 2. If the City of London is allowed
16 to develop this site, who is to say where it will
17 end? Eventually it could spread over a much
18 wider area, encompassing more land and destroying
19 more habitats frequented by many animals.

20 Can we afford to take valuable agri-
21 cultural land out of production, destroy wildlife
22 habitats and in general upset an ecological balance
23 that has been many years in its present state?

24 Landfill sites are not the answer
25 to our disposal of wastes. We must find other
26 more meaningful methods of disposal.

27 Thank you, Mr. Chairman.

28 THE CHAIRMAN: Have you any further
29 comments?

30 MR. GIRLING: No.



1 MR. PLAXTON: No questions, Mr. Chairman.

2 THE CHAIRMAN: Well, I have four more
3 names I will call. How long do you want to sit?

4 MR. PLAXTON: It would be nice, if they
5 are here, to hear from them now so this aspect of the
6 case could be got over with and we could hear my
7 friend's case.

8 THE CHAIRMAN: I have difficulty reading
9 this -- it looks like Irene Thorpe with the initials
10 WALSC -- oh, it is Van Dorf.

11 H. E. Patten, Rural Route 1, Lambeth.
12 Is he here?

13 A SPEAKER: He was here but he left
14 about half an hour ago.

15 THE CHAIRMAN: Peter Love, University
16 of Toronto, Pollution Probe.

17 That is the list I had in front of
18 me. I believe the of the Federation of
19 Agriculture will be represented in the morning. That
20 is it.

21 I think we will adjourn and re-
22 convene at 9:30 in the morning.

23 Oh, did you want to bring the witnesses
24 forward now?

25 MR. WRIGHT: Well, if it is the
26 Board's intention to adjourn for the evening, I
27 can't call the witnesses now.

28 THE CHAIRMAN: We can stay open another
29 half hour.

30 MR. WRIGHT: All right.



1 MR. PLAXTON: Mr. Chairman, I don't
2 wish to disturb the Board, but my friend's case might
3 go in a little better for him and myself if the
4 witnesses followed consecutively. We have had a
5 pretty long day and I propose we cut it off now and
6 come back tomorrow morning.

7 MR. WRIGHT: I am in your hands, Mr.
8 Chairman. What I was going to do was call Mrs.
9 Sifton to prove the pictures to get that dealt with.

10 MR. PLAXTON: We will admit the
11 pictures taken. I think what we should have before
12 us precisely is the location of each of the pictures
13 taken. If that could be written up against each
14 number on the picture in the album, we will just
15 allow them in tomorrow morning as is and we would
16 like to comment on them briefly.

17 MR. WRIGHT: That is fine with me.

18 THE CHAIRMAN: In the morning?

19 MR. WRIGHT: Yes. Perhaps we could
20 discuss the details later.

21 THE CHAIRMAN: Would there be any
22 objection to meeting at 9:00 o'clock tomorrow morning?

23 MR. PLAXTON: No.

24 THE CHAIRMAN: Mr. Moodie has a flight
25 booked out to Toronto in the middle of the afternoon
26 tomorrow that he can't get out of.

27 MR. PLAXTON: Would Mr. Moodie prefer
28 to go on now?

29 MR. WRIGHT: I would be prepared to
30 go on a couple of hours tonight.



1 MR. MOODIE: I don't mind staying
2 over until Saturday.

3 THE CHAIRMAN: We don't want to cut
4 anyone off. I think in fairness to our reporter
5 who has put in four pretty strenuous days we will
6 adjourn and meet at 9:00 in the morning.

7 MR. WRIGHT: That is fine, sir.

8 --- Upon adjourning
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