

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

DATE: August 3, 1973.

HELD AT: London, Ontario.

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Nethercut & Co. Ltd.

Toronto, Ontario

ENVIRONMENTAL HEARING BOARD

1
2 IN THE MATTER OF an application
3 by the City of London to establish
4 a sanitary landfill site in the
5 Township of Westminster, Ontario.
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11 HEARD BEFORE:

12 John Root Chairman
13 D. Aubrey Moodie Vice-Chairman
14 H. E. Brown Member
15 H. Browne Technical Adviser
16 T. A. Murphy Secretary
17

18
19 Hearing held at Lambeth United
20 Church Auditorium, Lambeth, Ontario
21 on Friday the 3rd day of August, 1973.
22

23 APPEARANCES:

24 Geo. F. Plaxton, Q.C. For the Corporation
25 Roland J. Haines of the City of London
26
27 A. C. Wright The Westminster Anti-
28 J. W. Sifton Landfill Committee
29
30

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Official Reporters,
44 York Street,
Toronto 116, Ontario.



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1 --- Upon commencing at 9:00 a.m.

2 THE CHAIRMAN: May we come to order,
3 ladies and gentlemen? Last evening when we adjourned
4 I had a number of people who indicated they wanted
5 to speak.

6 Is Owen Jones here this morning?
7 Peter Love?

8 J. D. Patton?

9 It looks like Thorpe, Rural Route
10 2, Glanworth? It is Van Dorp.

11 MRS. SIFTON: I have a letter. He
12 can't come this morning but this is what he wanted
13 to say. He wants you to read this.

14 THE CHAIRMAN: Would you like to read
15 it? You are representing him?

16 MRS. SIFTON: Not really, but I'm
17 just reading what he wants to say.

18 THE CHAIRMAN: Do you have any object-
19 ion, Mr. Plaxton, to Mrs. Sifton reading the letter?

20 MR. PLAXTON: No objection.

21 MRS. SIFTON: Mr. Chairman, Mr. Van
22 Dorp has trouble expressing English because he is
23 Dutch. His submission may not be grammatically
24 correct.

25 THE CHAIRMAN: Don't talk too fast.

26 MRS. SIFTON: "Mr. Chairman,
27 I will first begin with points on water
28 pollution. As Mr. Dowse has pointed out
29 the shallowest impermeable clay in bore
30 holes was 16' and from there his 150 year



1 no pollution figure. This layer of per-
2 meable clay is in all likelihood at its
3 shallowest point less, maybe much less
4 than what his figures show. He could
5 drill for a year and may not find the
6 shallowest spot. Yet he drills a mere
7 five spots and already we have a
8 shallowest!

9 The impermeable soil will further be
10 reduced by a dozer operator who may be
11 required to work of grade stakes which
12 are too far apart or maybe non-existing.

13 In the end this impermeable clay may
14 be reduced to 12" or even 6" and nobody
15 will know and this way the pollution
16 would start from the very first week.

17 London says it will supply water to
18 the residents if the water supply ever
19 gets polluted. Well, goody, goody. I
20 say London supplies unpolluted water to
21 all residents established and new alike
22 if source gets polluted.

23 And further if water supply ever gets
24 polluted by London they will unpollute
25 the entire water supply at pollution
26 source and forthwith remove all garbage
27 from site, and within one (1) year have
28 the entire area (returned) restored for
29 agriculture with a minimum of 12" of top
30 quality top soil.



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A refusal of such a request would indicate to the citizens of Westminster a complete lack of responsibility by the City of London.

In the section of Wellington Road concerned, meaning from Concession 5 to Concession 8 the snow is considerably deeper and the wind blows harder for reasons not explored by me. Anyway, with the grade raised 30' or more we can look for snow drifts 10' high or more along the westerly side of Wellington and a lesser amount but still considerable on Wellington Road itself. This is in a section already considered one of the worst in the area.

I was not able to attend the meeting in which Professor Webber testified, but I read in the newspaper how he proposes to turn the landfill site back into agricultural land. Mr. Webber, we want to grow crops, not heather! The top 4' of soil does not provide an adequate source of water during an even minor dry spell there will be no capillary action from the water table since the garbage effectively cuts off any rising of the water beyond its own level. Irrigation is the only immediate answer. Who pays?



1 The netting as shown in the film from
2 Los Angeles could prove terribly in-
3 adequate. I can already see those poor
4 workmen shifting those nets to and fro
5 all the time all to the tune of the
6 wind. On windy shifty days it is easily
7 possible for the wind to start in the
8 west, switch to the east and right back
9 again all in one day. This may prove to
10 be too much work without benefit, and as
11 a result the nets will not be used
12 extensively enough.

13 London does not seem to be taking the
14 best possible advantage of the provincial
15 grant offered for the study of this gar-
16 bage problem and is now forging a path
17 toward a false economy. London's en-
18 gineers think this is more economic
19 (sanitary landfill) as opposed to other
20 methods. It may be so. If you are
21 allowed to steal the land. My suggestion
22 to the engineers is: take a very good
23 look at recycling's near future. It will
24 pay you and us dividends. Maybe it is
25 too early to recycle, but if nobody starts
26 it will be too late. It would seem that
27 the ultimate responsibility of this gar-
28 bage problem lies with the citizens of
29 London and that the small extra burden
30 of recycling and pollution..."



1 I think that is "incineration"---

2 "...is a small price to pay for a better
3 life in a better city.

4 London has the opportunity to show her
5 social conscience and take her place in
6 this country.

7 Thank you,

8 C. Van Dorp."

9 THE CHAIRMAN: Thank you. Would you
10 give that to the Secretary?

11 Would you like to comment?

12 MR. PLAXTON: Mr. Chairman, there is
13 a reference there to lack of intention on the part
14 of the city to take studies. We don't have direction
15 from council to discuss this, but since the Committee
16 has recommended to council a resolution which we have
17 a copy of here, the effect of the resolution essen-
18 tially would be that council approves -- if council
19 approves it in August would be to authorize the city
20 to employ consultants to undertake a study for,
21 among other things, recycling. This would be on a
22 regional basis and a further resolution deals with
23 the intent to seek the co-operation of the County
24 of Middlesex in this study on a regional footing.
25 I think it is perhaps an unfair comment to say,
26 in the light of those facts, the writer of the
27 letter was unaware of them, but to say that the
28 city is not taking the advantage that is being
29 offered to it by the province paying for or giving
30 grants for the cost of studies of this nature.



1 THE CHAIRMAN: What committee made
2 this recommendation?

3 MR. PLAXTON: It is a recommendation
4 of the Board of Control to Council. The Council
5 meeting is on August 7th:

6 "That the Environment & Protective
7 Services Committee be requested to
8 consider London's participation in a
9 regional waste-disposal study provided,
10 however, that such action shall not
11 interfere with the present application
12 by the city for approval of Site W-12A."

13 THE CHAIRMAN: Thank you.

14 MR. PLAXTON: There is a further
15 motion by the Environment & Protective Services
16 Committee which it adopted at a Committee meeting
17 July 30th, 1973. Again it would go to council at
18 the same time:

19 "That the Middlesex County Council be
20 requested to indicate whether or not
21 it would be interested in participating
22 in a regional waste study in conjunction
23 with the City of London in order to
24 determine the present sources of waste
25 and present disposal sites in the
26 region and to undertake a technical
27 assessment of the feasibility of re-use,
28 reclamation and recycling for the
29 Region and an analysis of cost-sharing
30 alternatives; it being pointed out that



1 the Province has recently announced
2 that financial aid is available to
3 subsidize area waste-management studies."

4 Mr. Chairman, I felt that it was not perhaps
5 appropriate at an earlier stage to put this evidence
6 in because it has not really been approved by the
7 council of the city, but these are steps being taken
8 in the direction of having hopefully that approval.
9 Council does not meet that often during the summer
10 months. If you wish, I can file these.

11 THE CHAIRMAN: This committee is
12 made up of whom?

13 MR. PLAXTON: The committee, the
14 Environment & Protective Services Committee is a
15 standing committee of the Council of the City of
16 London, elected officials. It is a committee of
17 the Council of the City of London.

18 THE CHAIRMAN: Any further comments?
19 If not, I have a brief from Mr. Fred C. Dobson.
20 Is he here this morning?

21 The Ontario Federation of Agri-
22 culture, Mr. Gordon Hill I understand won't be here.
23 Mr. Vanneste will read the brief.

24 MR. VANNESTE: Mr. Chairman and
25 members of the Committee, before I start -- Mr.
26 Chairman and members of the Committee, I first
27 would like to express my thanks to you for the
28 way you have conducted this hearing over the past
29 four days. This is the first Board hearing I have
30 attended this summer by the Province of Ontario and



1 I really appreciate your conduct and congratulate
2 you on it.

3 I am presenting this brief on behalf
4 of the Ontario Federation of Agriculture. As you
5 know Gordon Hill was here the first day. He is
6 our Ontario President but due to commitments in
7 Ottawa this week he could not be here. We had
8 arranged for Peter Hannam from Guelph to be
9 here and he was here for two days and again Peter
10 Hannam had to leave. So it is up to me to present
11 this brief.

12 I am presently President of the
13 Middlesex County Federation of Agriculture and I
14 am a full time farmer. It is an opportunity for
15 me here to represent the farmers of Middlesex.

16 The Ontario Federation of Agri-
17 culture is a farmers' organization which speaks
18 directly and indirectly for 95% of Ontario's
19 90,000 farm families and many other residents of
20 rural Ontario. The members of the Ontario Federat-
21 ion of Agriculture have at least as much interest
22 in the quality of the environment as any other
23 class of citizen. Since most of our countryside
24 in Southern Ontario is in private ownership, our
25 members feel they are the custodians of our land
26 resources and they feel responsible for the pre-
27 servation and the quality of good rural environment.

28 It has been apparent for at least
29 a decade that we would shortly be facing a waste
30 disposal crisis. Far from researching new techniques



1 or combining existing ones to cope with the
2 problem, larger municipalities have tended simply
3 to go farther afield to impose their traditional
4 waste disposal methods on new victims.

5 This approach is particularly
6 galling to farmers and rural people in that even
7 the most connecting rudimentary steps, such as
8 separation and recycling are vigourously resisted.
9 Farmers are fed up with this attitude on the part
10 of urban communities as much as they are fed up
11 with other people's smelly and unsightly garbage
12 in their living space. Farm people are unwilling
13 to have such conditions imposed on them by others
14 who evade their own responsibilities.

15 London's garbage problems have been
16 in the headlines recently because our people object
17 to having London garbage dumped in their beautiful
18 countryside. Their objections are many and varied
19 but can be simply stated. Garbage is a very un-
20 desirable commodity - someone else's garbage is
21 just not acceptable to anyone.

22 Our people have protested and are
23 continuing to protest against any proposed disposal
24 site in their respective areas. They just will not
25 accept them. From experience they know they will
26 be ruined. The ground water supplies could be
27 contaminated with very damaging effects. The
28 smells and unsightly appearance are always present.
29 It is impossible to give any assurances of long
30 range safety, especially with a growing population



1 each producing larger quantities of waste to be
2 disposed of.

3 The so-called "sanitary" landfill
4 can no longer be tolerated as the major or only
5 method of disposal. The citizen's preoccupation
6 with his environment will demand this. Long-range
7 plans to develop landfill sites should be discouraged
8 because basically this would amount only to a
9 decision to make no better plans for the greater
10 part of the period in question.

11 In the matter of the application before
12 the Board the well known dangers and damages are
13 to be found. Even if the glowing predictions about
14 the quality of management turned out to be accurate -
15 and this would be a rare occurrence, - destruction
16 of land values and hazards to human and animal
17 health remain. In spite of propaganda to the
18 contrary, O.F.A. remains convinced that the site
19 is virtually sterilized for any productive use for
20 at least 30 years. Urban municipalities have
21 little interest in creating parks about the only
22 practical use - many miles from the city that
23 produces the garbage.

24 In the case at hand, the site
25 under investigation is about nine miles from down-
26 town London. Many hundreds of truck trips will
27 be required each day to transport garbage. In-
28 creased traffic congestion of an unsightly type
29 is of concern to existing users.

30 Water contamination, either surface



1 or sub-surface, is a real danger and assurances
2 to the contrary ought not to have much credence.
3 The danger comes from both disease producing organ-
4 isms and from toxic metal residues. Gas formation
5 will continue for many years. Experience forbids
6 acceptance, but even if there is no debris blowing
7 around, there will inevitably be an attraction
8 to vermin and to less desirable bird species.

9 In conclusion, it seems expedient
10 and timely in the opinion of the Ontario Federation
11 of Agriculture to propose a guideline for resolving
12 the waste disposal problems that arise with annoy-
13 ing frequency.

14 All practical measures should be
15 taken to limit or reduce the volume of waste. One
16 would be the use of reuseable and returnable con-
17 tainers. This would offer some immediate help with
18 volume as well as other advantages.

19 Plans should be initiated immediately
20 to separate metal and glass so that recycling
21 can play its part. Utilization should not be
22 confined to the recycling of metal and glass.
23 To the extent that safety can be assured, other
24 parts should be treated as a shredded material
25 for compost to be used on land in quantities that
26 go along with crop production.

27 Incineration by modern techniques
28 should be considered for the remainder. Under such
29 conditions any necessary landfill sites might
30 then be described as "sanitary". Fewer and smaller



1 sites would be needed.

2 We feel that the only workable
3 solution is a combination of methods rather than
4 a reliance on a technique of proven inadequacy.

5 Under conditions prevailing at the
6 moment it is not a time to embark on long range
7 plans which fail to take into account the present
8 needs of society as much as society's future
9 needs.

10 Time is short and rational decisions
11 are long overdue.

12 There are one or two appendices
13 to it, Mr. Chairman.

14 Thank you very much.

15 THE CHAIRMAN: Do you have any
16 comments, Mr. Plaxton?

17 MR. PLAXTON: I have one or two
18 observations to make, Mr. Chairman.

19 A number of these briefs are re-
20 ferring to the adoption of policies that cannot
21 be undertaken by the City of London alone. They
22 are policies with national implications and,
23 whether it be national or provincial, certainly
24 the valid thing is that they are certainly not
25 municipal. For example, the question of reusable
26 and returnable containers. This is not a question
27 that the City of London has control over. We would,
28 naturally, as a city be anxious to see this kind
29 of policy introduced if it is feasible and practical
30 and can be worked out in a way that is realistic for



1 all concerned. However, that type of suggestion
2 which is worthy of note, Mr. Chairman, is one
3 which I point out the City of London alone cannot
4 control.

5 I think it is a worthy suggestion
6 and I believe the authorities would like to get into
7 this. There is a task force on the subject of waste
8 management, as you have pointed out, and no doubt
9 they will make recommendations concerning this kind
10 of policy. Until those recommendations come down
11 I simply say that the City of London doesn't have
12 control over this kind of policy decision, even
13 though it may be very worthwhile.

14 That is all, Mr. Chairman.

15 THE CHAIRMAN: Any other comments?

16 Thank you very much.

17 MR. WRIGHT: Mr. Chairman, I under-
18 stand that Nancy McDougall has a brief. She is
19 prepared to put it in. It may be appropriate to
20 hear her at this time.

21 THE CHAIRMAN: Nancy McDougall has
22 a brief?

23 MRS. NANCY McDOUGALL: Sir, I wish
24 to voice my objection to the locating of a sanitary
25 landfill site within the boundaries of the Township
26 of Westminster for the reasons stated herein.

27 1) The city of London has retained
28 the firm of James F. McLaren Limited to design the
29 proposed landfill site. The city has incorporated
30 into its brief a proposal made by the firm of James



1 F. McLaren Limited in the year 1970 with some
2 amendments and modifications of standards to update
3 it to the 1973 requirements and standards as out-
4 lined in the terms of reference of the city.

5 The City of London is currently
6 working on a sanitary landfill site located within
7 the confines of the city on the Clarke Side Road,
8 which was engineered and designed by the firm of
9 James F. McLaren Limited. At the onset the Clarke
10 Side Road site had a projected life expectancy
11 of six to seven years. Through error, miscalculat-
12 ion or other indeterminable facts, this site has
13 now a projected life expectancy of four years, or
14 approximately one-quarter less than that for which
15 it was designed.

16 The site under consideration at
17 this time located within the Township of Westminster
18 is totally new in concept, being designed in this
19 instance to revert the present farmland on which
20 it would be located back to viable farmland after
21 the 20 year life expectancy of the landfill site.
22 This has never been done before. It is a pilot
23 project.

24 The landfill site on the Clarke
25 Road was not a pilot project in that it has
26 followed many of the accepted engineering practices
27 in landfill, i.e., it was not viable farmland but
28 rather a former gravel pit operation. It was not
29 being used for any other purpose than a gravel pit.

30 The element of error in the present



1 site has been 25%. The total acreage is only a
2 fraction of the proposed site which is 405 acres.
3 Can the City of London guarantee we are going to
4 expect performance of the quality outlined by them
5 in this hearing, or are we going to be faced with
6 a very, very expensive white elephant in our town-
7 ship which will be ruined to farming and to any
8 other use compatible with^a rural agriculturally
9 oriented area?

10 Any element of error on this site
11 involves grave dangers to the landfill site itself
12 as well as almost all of the surrounding area for
13 a radius of several miles.

14 The city is undertaking to guarantee
15 a great number of things to the residents of the
16 township, but it cannot guarantee they have not,
17 or will not make a mistake in judgment at this time
18 and they will also not commit themselves to more
19 than some rather nebulous ideas on the final
20 outcome of the landfill site should it carry on
21 over the proposed 20 year period.

22 2) Should this landfill site be
23 permitted as proposed, then the lands directly ad-
24 jacent or abutting to this site should be taken
25 into consideration by the City of London for compen-
26 sation to the owners because of the depreciation
27 it will have on the property, for the adverse effects
28 it will have on the immediate area and the disrupt-
29 ion of a normal rural life, the noise pollution it
30 will cause in the area by way of the gross amount of



1 heavy vehicle and light vehicle traffic, the re-
2 zoning which it will cause in the area and in general,
3 the long term effect it will bring upon the community
4 by way of general inconvenience. Even if the site
5 did prove to be less of a problem than it is anti-
6 cipated the real value of the property would be
7 lowered and it would not regain its loss, therefore,
8 it would be virtually lost as far as selling and
9 obtaining even replacement value for it.

10 3) The City of London in its brief
11 has outlined the fire fighting procedures followed
12 at its landfill site at this time. I submit their
13 experience is within the confines of a city and not
14 within a rural setting. They have not proposed
15 adequate city generated coverage in a fire emergency.

16 In this area the Lambeth Volunteer
17 Fire Department would be the body concerned should
18 a fire be found at the landfill site. This department
19 is located some few miles from the site and it is,
20 as the name implies, a totally volunteer fire depart-
21 ment. In the case of a fire at this site, the time
22 element could be vital, as it is with most fires,
23 and should a fire break out in an area with many
24 vehicles or buildings nearby it is vital to receive
25 adequate equipment with the greatest dispatch. It
26 would be a fair estimate to say 20-25 minutes would
27 be the time element from Lambeth, providing the
28 roads were good and the traffic minimal.

29 I submit the City of London should
30 be required to arrange its own fire protection with



1 the London Fire Department to alleviate any
2 danger of hold up or to literally speed things up.
3 The city has a fire station on the Wellington Road
4 just north of the Southdale Road which could be
5 at the site within 10 minutes and whose firemen
6 would all be trained in fighting fires of this type.
7 Should this not be feasible the city should submit
8 a firm proposal which does not depend on a volunteer
9 system.

10 4) The City of London has deter-
11 mined through traffic studies they have undertaken
12 that a dramatic increase in the volume of traffic
13 now in the area will take place, namely, on the
14 Wellington Road southward from the city limits and
15 on to the Concession 7 Road.

16 It will turn west on the Concession 7
17 Road to the landfill site. The city has determined
18 through their studies that a traffic signal will be
19 required at this intersection. This should regulate
20 the traffic on the roads concerned for 1,500 feet,
21 or approximately one-quarter mile.

22 Located between the city limits
23 and running parallel with and up to the Concession
24 7 are many intersecting roads, namely, Concession
25 3, Concession 4, Concession 5 and Concession 6.
26 They will all be affected by the dramatic increase
27 in the volume of traffic and all are going to have
28 vehicles on them which will either wish to cross
29 the Wellington Road or make a turn north or south
30 onto Wellington Road. There has been no provision



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1 outlined to adjust the traffic flow at these
2 intersections.

3 At the junction of Concession 5 and
4 Wellington Road, just to the east of the inter-
5 section is located the Central School for the
6 Westminster Township. It has an enrollment of
7 425 pupils, all of which are transported by bus
8 daily, both ways. It has a fleet of seven buses,
9 all of which save one are required to enter Wellington
10 Road. With the volume of traffic, it is anticipated
11 a truck will cross this intersection approximately
12 every 20 seconds. What provision is made by the
13 city to install a regulatory device for the traffic
14 at this corner in order to get the school buses in
15 and out of the area? The onus should not be put on
16 the Suburban Roads, the County of Middlesex or the
17 township to eliminate a tremendous traffic hazard
18 which is the making of the City of London because of
19 this proposed sanitary landfill site. The children
20 which live in the Shaver Subdivision just on the
21 southwest side of the Concession 5 are all bused to
22 the school now because the County of Middlesex
23 Board of Education felt the traffic was too hazard-
24 ous on the Wellington Road as it exists today for
25 them to try to get across on foot or by bicycle.
26 If it was too hazardous for the County Board of
27 Education should not the City of London consider
28 it definitely too hazardous to risk possible death
29 or injury to a full busload of school children trying
30 to get to or from their school?



1 The expense of traffic monitoring
2 and studies would add to the cost of any signal
3 device and should not have to be borne by the
4 residents of this area by way of any property tax
5 increase.

6 5) Appendix A, City of London
7 City Engineer's Department, Operation and Use of
8 Sanitary Landfill Sites, III, General 1) reads:

9 "All municipal refuse vehicles and
10 private haulers should use the de-
11 signated routes proceeding to or from
12 the site. Any person or corporation
13 violating this provision shall not be
14 permitted to enter the site for the
15 purpose of delivering refuse."

16 I submit by the very design of the
17 proposed landfill site the city is unable to see how
18 any vehicle approaches the landfill site and the
19 very essence of its design will completely block
20 any view from the approach road. The city has not
21 laid out a clear provision for enforcing strict
22 adherence to the designated route plan. They cannot
23 show how they will differentiate between vehicles
24 approaching the access road and doing so without
25 coming west from the Wellington Road on the Concession
26 7 Road. The White Oak Side Road is a through road
27 from the westerly limits of the city and it also
28 is on the perimeter of the proposed landfill site.
29 It affords quick access to the site without getting
30 involved in traffic on Wellington Road. It is also



1 a county road and not under the jurisdiction of
2 the Township of Westminster. I submit the city
3 should adopt a firm stand on monitoring the vehicles
4 long before they are at the access road.

5 Respectfully submitted.

6 THE CHAIRMAN: Are there any comments?

7 MR. PLAXTON: The evidence shows
8 that the study done in May of 1970 with respect to
9 the southeast site of the city which is currently
10 in use to project the life expectancy of that site
11 at seven years. The evidence further shows that
12 this life expectancy on a further examination of
13 the site itself was reduced to four to four and a
14 half years, I believe the witness said. Then, the
15 life expectancy was so revised, was further reduced
16 by an increase in volumes which were unanticipated.
17 Initially and since that time we have heard the
18 evidence concerning the more accurate count the
19 city is trying to maintain on the flow of waste
20 into the site. So that the statement appearing
21 on page one of the brief to the effect that there
22 was an error, a miscalculation as between six and
23 seven years and four years is quite inaccurate.
24 The error in question, if there was one, has to
25 be taken between the four to four and a half years
26 and I think it is around three to three and a half
27 that is left if you consider the total lifespan of
28 the site, both now and this projection for the
29 future.

30 The other comment I would like to make



1 is directed to item 3 in the brief which refers
2 to the fire fighting service. You have heard the
3 evidence, Mr. Chairman. It is quite clear that
4 this is a minimal risk in a landfill site. We have
5 had one fire in a year and a half of a very minor
6 nature which was put out by equipment on the site.
7 The earth itself, they moved the earth over the
8 fire and that is certainly an effective blanket to
9 put out a fire. If it isn't, then there is a water
10 tank truck on the site having a capacity of how
11 many gallons?

12 MR. MORRIS: Two thousand gallons.

13 MR. PLAXTON: Two thousand gallons.
14 There is a pump on that truck. Any further protection
15 can come from the city's own department. We have
16 heard the evidence concerning the watchman watching
17 the site at all times, telephone and the availability
18 of a telephone. In fact they can even call through
19 from his vehicle by radio to a central control line
20 in the city.

21 You have also heard the evidence
22 concerning the fact that the city has its own
23 fire department and various of these elements would
24 be called in to put out the fire, if there was one.

25 The next comment I would like to
26 direct is to item 4, the traffic. Mr. Chairman,
27 the city has come here prepared to accept suggest-
28 ions of the kind that were offered, particularly
29 in this connection. This was a very worthwhile
30 suggestion concerning the placement of garbage



1 collection points, at least one or more within the
2 city limits for small vehicles. The effect of that
3 kind of policy would be very, very substantial on
4 the anticipated flow of traffic and the proponent
5 of this brief has referred to trucks every two
6 minutes. I think that is quite an error, taking
7 the flow of vehicles anticipated as well as trucks.
8 Many of those vehicles under this revised policy,
9 if the Board considers this policy to be advisable,
10 we would want to see it integrated into this scheme.
11 Certainly the city has indicated its willingness to
12 adopt it. The effect would be to reduce the flow
13 of small vehicles from the city limits to the site
14 and that reduction, Mr. Chairman, is something that
15 really cannot be measured that accurately at this
16 time. I must admit that, but I submit to you that
17 it would be very substantial. It is quite common
18 sense it seems to me to suggest that if a person
19 can empty his truck or vehicle, small vehicle of
20 refuse at a site in the city, he is going to do that,
21 rather than to drive some distance beyond. The im-
22 pact of that will have to be measured, but without
23 question it will be substantial insofar as the count
24 of small vehicles is concerned. I think the traffic
25 question might come into this argument later on and
26 that is the question that it is quite difficult in
27 this sense that it is desirable on the one hand to
28 locate your site away that has the site in a tran-
29 quil sort of area, not heavily built up. If you
30 assume those facts, one must assume that the traffic



1 in the area of the site in question before the
2 landfill use will be minimal and then the impact of
3 bringing trucks into the area, of course, will be
4 greater. The two forces don't really come together.
5 They are two cross-purposes here and you try to
6 seek for the best solution for the most people.

7 Mr. Chairman, that is one of the
8 points.

9 MR. WRIGHT: I'm sorry to interrupt
10 my friend, but if we are going into very lengthy
11 dissertation on all of these matters that have come
12 up, my friend is going to push us into a corner on
13 time. I'm sure the intention is not there, but ---

14 MR. PLAXTON: That is all I have on
15 this brief.

16 MR. WRIGHT: This is getting to be a
17 concern as we go along this morning. We have a
18 number of witnesses to put in and I think we can
19 do it, but perhaps my friend is most entitled to
20 make comments, but ---

21 MR. PLAXTON: That is all I wanted to
22 say on that particular brief. I apologize to Mr.
23 Wright. I do want him to have the time he requires.
24 Please go ahead.

25 MR. WRIGHT: Mr. Chairman, the
26 Middlesex Federation of Agriculture put in a slip
27 to submit a brief and I'm also told that Owen Jones
28 whose piece of paper has been passed by this morning
29 is now here.

30 THE CHAIRMAN: Mr. Jones?



1 MR. OWEN JONES: Mr. Chairman,
2 concerning this landfill site ---

3 THE CHAIRMAN: The closer you get to
4 the mike the better we can hear.

5 MR. JONES: Mr. Chairman, and ladies
6 and gentlemen, concerning this landfill site, I don't
7 think it is a proper thing for the city to have one.
8 Why not put in incinerators the same as they have
9 in Hamilton? Sooner or later, they are going to
10 have to do it.

11 Furthermore, talking about this water
12 situation, I have dealt with the city before and as
13 far as getting water, I was out of water and had to
14 drill a well for water. The city put in the water
15 which I had to pay half of it. All winter long I
16 drew water off and on for pretty near 100 head of
17 cattle and the city promised me water and I had to
18 fight with them every day to get this water. Finally,
19 it ended up that I told them if they didn't get the
20 water out that I would call in the Humane Society and
21 they told me to let the cattle out and eat snow for
22 water. One time there was three days those cattle
23 went without water. They had all kinds of excuses
24 not to bring out the water. They couldn't get in
25 with the water and so on and so forth. Finally, Mr.
26 Gagen came out. He said he couldn't get in with
27 the water. I was going out every day with my own
28 truck and my car without any trouble and when he
29 came out and found out for himself, he was satisfied
30 that I was right. As far as the landfill site goes,



1 the city has plenty of land of their own. Why not
2 build it on their own property? I have land just
3 on the other side of that fence and my land is
4 gravel land. You talk about they went 16 feet and
5 found water in this proposed dump, well, if that
6 water comes that close to the ground, it will take
7 the stuff from the dump down through into that water
8 underneath the ground and where it goes nobody knows.
9 As far as the water goes, it will pollute the water
10 just as sure as you live. How far that water goes
11 underneath that ground nobody knows. As far as
12 that goes, I don't think the city has dug enough
13 holes to find out.

14 THE CHAIRMAN: Will you show us on
15 the map where your farm is located? Will you show
16 where it is located in relation to the proposed
17 landfill site?

18 MR. JONES: It is right across from
19 Stanley Gough's, right across the fence.

20 THE CHAIRMAN: Are you on the 6th
21 Concession?

22 MR. JONES: I am on the 5th Concession.
23 The farm runs right straight through to the sixth.

24 MR. PLAXTON: Could you indicate the
25 site? Is it above the site? Do you adjoin the
26 site?

27 MR. JONES: Right across the road.

28 MR. PLAXTON: Does your boundary come
29 to the boundary of the site?

30 MR. JONES: It is Lot 20, that is
what it is.



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THE CHAIRMAN: Is it on the south side of the 6th Concession as well as the north?

MR. JONES: I'm on the north side of the 6th Concession, right across on the corner.

I guess that is about all I have to say.

THE CHAIRMAN: Do you have any questions to ask, Mr. Plaxton?

MR. PLAXTON: No, thank you.

THE CHAIRMAN: Are there any others who would like to make private submissions?

MR. JOHN KAVELAARS: This is Mr. John Kavelaars from the Middlesex Federation of Agriculture.

THE CHAIRMAN: Go a little slower.

What was the name again?

MR. KAVELAARS: Mr. Kavelaars, K-A-V-E-L-A-A-R-S. I'm representing the Middlesex Federation of Agriculture and our Chairman presented a brief of the Ontario Federation of Agriculture.

Mr. Chairman, we would like to thank the Ministry of the Environment for this opportunity of presenting this brief from the Middlesex County Federation of Agriculture.

At the monthly meeting of April 3rd, 1973, the following resolution was passed by the Board: "That the Middlesex County Federation of Agriculture oppose the use of good agricultural land for a sanitary landfill program anywhere."



1 We don't think that this land can be
2 usefully restored as agriculturally productive land
3 after 30 feet of garbage has been buried in it.
4 The time is here today that all agricultural land
5 must be saved for the useful production of food.

6 Therefore, we recommend that the
7 City of London ask the Ontario Government for
8 assistance:

9 1. To start a program to educate
10 people to create less waste by the use of products
11 which are less wasteful or reclaimable.

12 2. To start studies and to build
13 a waste reduction and reclamation unit.

14 Respectfully submitted by the
15 Middlesex County Federation of Agriculture.

16 THE CHAIRMAN: Will you file that
17 with the Secretary?

18 Is there any comment on it?

19 MR. PLAXTON: No, Mr. Chairman.

20 THE CHAIRMAN: Mr. Wright?

21 MR. WRIGHT: Yes , Mr. Chairman. I
22 would like first of all to call Mr. Homer Hart.
23 He is a Councillor of the Township of Westminster.

24 HOMER HART, called:

25 EXAMINATION BY MR. WRIGHT:

26 THE WITNESS: My name is Homer Hart
27 and I'm Deputy Reeve of Westminster Township. I am
28 the councillor who made the motion turning down
29 London's proposal for a landfill waste site in our
30 township.



1 I understand, when I was absent
2 from this hearing on Wednesday, that some comments
3 were made with reference to the intent of my motion.
4 I wish to make it very clear the intent of my
5 motion was to the effect that London not be per-
6 mitted to dump their garbage in our township.

7 Several articles in the press made
8 by one of London's aldermen intimated that I had
9 not give much consideration before I made this
10 motion. I wish to state that I had London's brief
11 in this regard for one week during which time I
12 had plenty of time to make up my mind in this regard.
13 I talked to ratepayers in our township, many of them
14 called me on the phone, not only ratepayers in the
15 area concerned, but over our whole township, even
16 in the Village of Lambeth. Not one ratepayer who
17 called me was in favour of Westminster Township
18 becoming a dump for London.

19 While I am here, Mr. Chairman, I
20 wonder if I could make a few comments with reference
21 to the water situation with your permission?

22 THE CHAIRMAN: Yes.

23 THE WITNESS: We have heard here
24 that London will supply any residents affected in the
25 area of the 6th and 7th Concessions with water. I
26 happen to live in the northern part of our township,
27 1,000 feet from the City of London. My neighbours
28 and myself receive city water at double rates. We
29 are now advised within the last few days that this
30 water will be discontinued as of October the 15th.



1 I wonder -- London already have mains to our area.
2 They are receiving double rates and I doubt very
3 much that they will run mains to the 7th Concession
4 and give the farmers in that area free water.

5 That is all I have to say, Mr.
6 Chairman.

7 MR. WRIGHT: Q. Before you go,
8 Mr. Hart, I have a question or two. Perhaps my
9 friend will also want to ask you a question or two.
10 Could you tell us what co-operation or communication
11 has taken or is taking place between the township
12 council and the City of London?

13 A. At the present time?

14 Q. Yes.

15 A. There is none that I know of.

16 MR. WRIGHT: Thank you.

17 EXAMINATION BY MR. PLAXTON:

18 Q. There is none at the present
19 time?

20 A. That is correct.

21 Q. When you referred to the fact
22 that you had a copy of the brief, were you referring
23 to the resolution passed at the meeting of your
24 council on the 23rd of July?

25 A. I was referring to the inform-
26 ation I received from the City of London on March
27 27th.

28 Q. Oh, I see. The brief in
29 support of this application, the blue covered docu-
30 ment in evidence here, was not prepared until early



1 in July or late June. I have forgotten the exact
2 date, but it certainly was not prepared back in
3 April or March.

4 A. That is not the information I
5 am referring to at all.

6 Q. You are referring to the plans
7 and so on of the city as at that date?

8 A. Yes. Before our council meeting
9 of April 2nd I received it.

10 Q. Yes.

11 Mr. Hart, I understand the Township
12 of Westminster contracts for the removal of its
13 waste disposal?

14 A. Our township?

15 Q. Yes.

16 A. That is correct.

17 Q. With what individual or company
18 do you contract?

19 A. Mr. McKegg.

20 Q. Upon what kind of basis?

21 A. We call for tenders and Mr. McKegg
22 had the lowest tender and he was given the tender.
23 At the time the tender was let we had no idea where
24 the disposal was to be made and we didn't consider it
25 was any of our business to know.

26 Q. And was that judgment made on
27 an economic basis?

28 A. Yes, the lowest tender was
29 accepted.

30 Q. How much per ton, do you know?



1 A. I haven't got that information
2 with me. I couldn't say. It was on a per capita
3 basis, not a per ton basis.

4 Q. Were you informed at the time
5 that the waste would be taken to a landfill site?

6 A. As I recollect, we were not
7 told where it was being taken. He would supply the
8 depot for where the garbage would be taken. It was
9 put in a package and taken away.

10 Q. Did you ever consider recycling
11 or shredding?

12 ALL SPECTATORS: Oh!

13 THE WITNESS: We only have a populat-
14 ion of 6,000 people.

15 MR. PLAXTON: Q. Your answer to that
16 is no?

17 A. That is correct.

18 Q. Do you know where the waste
19 goes?

20 A. I beg your pardon?

21 Q. Do you know where in fact it is
22 disposed of?

23 A. I'm not quite certain because
24 I believe the area has been changed since we let
25 the tender. I'm not really concerned with that.

26 Q. I see. You are not concerned
27 as to where it goes?

28 A. I didn't think it was any of
29 my business whatsoever.

30 MR. PLAXTON: Thank you very much.



1 MR. WRIGHT: I don't anticipate there
2 will be any questions coming from the floor, perhaps---

3 THE CHAIRMAN: Does anyone want to
4 question Mr. Hart?

5 MR. WRIGHT: Thank you, Mr. Chairman.

6 Mr. Colin Macpherson?

7 COLIN MACPHERSON, called:

8 EXAMINATION BY MR. WRIGHT:

9 Q. Mr. Macpherson, perhaps you
10 could tell us where you live and in what capacity
11 you seconded the motion that I see on the table?

12 A. Yes. I live on R.R. 2, Glanworth
13 and I am a Councillor of the Municipality of West-
14 minster. I was the seconder of this motion made
15 at a council meeting on April 2nd, 1973. It was
16 certainly my intention, when the motion was seconded,
17 it meant that we were not interested in a landfill
18 site in our area. It has been questioned whether
19 it was meant to be a motion of intent to turn it
20 down or a motion to put it to one side. It was
21 certainly our intent it was a motion of turning it
22 down in the hopes that the city would be able to
23 find land elsewhere and would not be coming out
24 into the centre of our township.

25 Q. Mr. Macpherson, it has been
26 suggested, perhaps obliquely, that there has been
27 some communication and co-operation between the
28 township council and the City of London in connect-
29 ion with this dump since that action was taken by
30 the council. Is that true?



1 A. To my knowledge there has been
2 no communication between the township council and
3 the City of London since this motion was made.

4 MR. WRIGHT: Thank you, Mr. Macpherson.

5 EXAMINATION BY MR. PLAXTON:

6 Q. Mr. Macpherson, do you purport
7 to express the intention of each and every member
8 of your council when you indicate what your intent-
9 ions were?

10 MR. WRIGHT: Mr. Chairman, we have
11 two, we will have three before the day is out. We
12 will also have the Reeve back here again. I think
13 we will have a majority in the witness box to satisfy
14 my friend.

15 THE WITNESS: I can answer that as
16 far as the motion, when the motion was made, it
17 carried unanimously because it reads this right at
18 the bottom of the motion.

19 MR. PLAXTON: Q. But the motion also
20 says that no action be taken on London City's request
21 that the township amend its zoning by-law, et cetera,
22 et cetera. It also says no action be taken on the
23 proposed agreement submitted by the City Clerk of
24 London. That wording suggests what it says, no
25 action.

26 A. When we turned down -- if some-
27 body wants to build something and it is against our
28 zoning principles, that is usually the motion that
29 is made, that no action be taken for so and so and
30 so and so reasons. We don't have a lawyer to do our



1 motions properly. I guess that is the problem.

2 Q. I would suggest it is worded
3 so that it seems you are taking a middle course. It
4 doesn't say you are opposed to it. It doesn't really
5 say you are for it. It simply says, "No action."
6 Isn't that a fair interpretation of the words that
7 appear in that resolution?

8 A. I would not agree with it.

9 Q. How would you word it if you
10 were saying that it should have said, for example,
11 what would it have said if it implied opposition to
12 the city's selection of a site?

13 A. I see nothing wrong with the
14 wording of this, that no action be taken. I think
15 that would be bunk enough.

16 Q. I didn't hear the last?

17 A. I think that would be bunk
18 enough that we would not be interested in passing
19 this motion.

20 Q. Are you aware of the fact that
21 a number of the council members of your council in-
22 formed the city that they would combat either --
23 were not either against or for it?

24 A. I'm not.

25 Q. There were two meetings with
26 council. Were you present?

27 A. Two meetings with council?

28 Q. By city officials?

29 A. Yes, I was.

30 Q. And prior to April 2nd when



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1 the resolution was passed?

2 A. Yes.

3 Q. At either of these meetings was
4 there any indication of opposition to the city's
5 intent?

6 A. All we did was listen to the
7 city's presentation.

8 Q. There was absolutely no
9 indication of support?

10 A. As far as I was concerned there
11 was no indication.

12 Q. Do you recall a suggestion to the
13 effect that the section be larger than it is to
14 take in a whole block?

15 A. I certainly remember the
16 suggestion it was proposed to take in -- there were
17 two phases. One phase was blocked out very quickly
18 because there was a municipal drain running into
19 that and the city backed away from that very quickly.

20 Q. Who made that suggestion?

21 A. I cannot tell you.

22 Q. Was it a member of your council?

23 A. Yes.

24 Q. Was there a suggestion in fact
25 that the whole block be taken?

26 A. No, there was not.

27 Q. Or that we go to the west of
28 the White Oak Side Road?

29 A. I do not recall.

30 Q. There was a thought about that



1 expressed at those meetings, that the site that was
2 ultimately selected where it is now? Mr. Macpherson,
3 do you recall this kind of discussion whereby members
4 of your council were in effect passing constructive
5 suggestions as to the location of this site?

6 A. As far as I know, the first
7 meeting we had with four members from the London
8 representatives was for permission to go into, I think
9 you call it W-12, to drill test holes. The next
10 meeting that we had with the council was all of a
11 sudden the test holes were in 12A and we had a very
12 long list of things which the city would do if the
13 township would give permission to let them come into
14 this land and expropriate.

15 Q. So they did -- that list of
16 things you referred to, were they in the form of
17 a draft agreement incorporating operating standards
18 to be applied by the city?

19 A. You mean the city, what they
20 offered to do?

21 Q. Yes.

22 A. Yes, they were standards and
23 the standards were, though, that the township do
24 all the dirty work and the city sit back.

25 --- (Laughter and applause)

26 THE CHAIRMAN: Order, please.

27 MR. PLAXTON: Q. I don't recall
28 reading that clause in the agreement.

29 A. It wasn't worded that way.

30 SPECTATORS: Oh!



1 MR. PLAXTON: Q. What are you re-
2 ferring to?

3 A. I don't have the letter here,
4 but I think Mr. Hart has the letter.

5 Have you got the letter there?

6 MR. WRIGHT: Is that the letter you
7 are looking for?

8 THE WITNESS: Here is one clause.
9 This is an agreement that the city sent to the
10 township. I don't see a date, but anyway, the one
11 clause I will read:

12 "The township agrees to designate or
13 will endeavour to arrange with the
14 County of Middlesex and the Suburban
15 Roads Commission for the designation of
16 the roads ^{as} described in a list attached
17 hereto and designated as Schedule D
18 as being open to full truckloads for the
19 full year and from year to year during
20 this term of agreement and such designat-
21 ion may be limited to waste disposal
22 vehicles travelling to and from site."

23 This is wanting the township to get the half load
24 limit taken off our roads. That is just one of the
25 numerous things.

26 MR. PLAXTON: Q. I think that clause
27 is referring to the White Oak Side Road, isn't that
28 right? There was a proposal for the traffic flow
29 down to the site on the White Oak Side Road?

30 A. That is right.



1 Q. That is what that refers to?

2 A. There is a half load limit on
3 the Wellington Road.

4 Q. You are a representative on the
5 council?

6 A. I'm not on the county council.

7 Q. The township council?

8 A. Township council.

9 Q. Is the City of London represent-
10 ed on the township council?

11 A. The City of London has a re-
12 presentative on the county council, but I'm not on
13 the county council. I'm on the township council.

14 Q. My information is that the City
15 of London does not have a representative on the county
16 council and that the township does have such a re-
17 presentative.

18 A. You are asking me questions
19 you should ask Mr. Hart because Mr. Hart is our
20 Deputy Reeve and he is a member of the county
21 council and I am not.

22 MR. HART: The City of London is
23 not represented on the county council. The county
24 council is made up of reeves and deputy reeves of
25 the Municipality of Middlesex which is the same as
26 any other county.

27 MR. PLAXTON: Thank you very much.

28 I have no further questions.

29 THE CHAIRMAN: Any other questions for
30 Mr. Macpherson?



1 MR. WRIGHT; Thank you, Mr. Macpherson.

2 Mr. Chairman, when the Reeve gets here,
3 I would like to put him in.

4 My next witness is Mr. Hardy Shore.

5 HARDY SHORE, called:

6 THE WITNESS: May I use the standup
7 mike because I may have to point out some locations?

8 THE CHAIRMAN: Just take it off the
9 stand.

10 EXAMINATION BY MR. WRIGHT:

11 Q. Mr. Shore, could you please
12 point out your property on the map?

13 A. It will take a moment here.
14 This is the landfill site (indicating). I own the
15 property in Lots 17, 18, 19 and 20. All of Lot 18,
16 half of Lot 17 go all the way to the concession road.
17 The others go part way. The portion that is owned
18 in Lot 19 goes within 24 rods of the 7th Concession.
19 Roughly 300 acres starting at this point here
20 (indicating), here would be this 100 acres, that
21 touches the 7th and the next one directly opposite
22 the Bradish property and the next 100 would be the
23 next 100 rods beyond that.

24 Q. How long have you lived on this
25 property?

26 A. Well, if I have to tell my
27 age, I was born on the property. My parents lived
28 there when I was born. I don't really know where
29 I was born, but they lived there at that time. I
30 have lived there ever since with the exception of four



1 years when I took over management of the farm.

2 Q. The inevitable question, how
3 old are you, give or take a year or two?

4 A. I am under 70, but not that much.
5 Sixty-nine, if you have to have a record.

6 --- (Laughter)

7 Q. Can you tell us of any member-
8 ships in any associations you have?

9 A. I suppose I belong to most of
10 the agricultural associations, Federation of Agri-
11 culture, Middlesex Vegetable Growers' Association,
12 The Holstein Breeders' Association of Canada in
13 which I was a director for 13 years and national
14 president in 1967. I have been 13 years a member
15 of the Western Fair Association of London and two
16 years as president of that association and I'm now
17 a life director and member of the executive, along
18 with several other breed associations. At one time
19 we had a small herd of Angus cattle and we still
20 belong to the Angus Association. A swine association.
21 I guess that is all.

22 Q. Can you tell us from your
23 experience in the area how the proposed site of
24 the land has been used?

25 A. As long as my memory goes back,
26 I can't recall it being used for anything except
27 agricultural, growing of crops and pasturing of
28 livestock. Probably not so much livestock on it
29 now as there used to be, but farmers are growing
30 more and more cash crops. I think you would be safe



1 in saying there is a higher percentage of live-
2 stock in that particular area than in most areas
3 in this part of Ontario.

4 Q. And from your experience, would
5 you comment on the quality of the land which is pro-
6 posed for the site and the quality of surrounding
7 lands for farm use?

8 A. We could refer back to Dr.
9 Webber or somebody said it is class one land. I
10 have no argument with that. It is clay land and
11 it takes good farmers to get good crops out of clay
12 land. It is a little more difficult to handle, but
13 when it is handled properly, usually you yield more
14 crops than other lands.

15 Q. Mr. Shore, you were told by --
16 I have forgotten whether it was Mr. Rowntree or
17 Mr. Robertson -- that the city was prepared to
18 sample run-off water daily. Will this satisfy you
19 for your purposes and would you tell the Board what
20 your concern with run-off water is?

21 A. Well, first I will say that
22 even though they were probably generous in offering
23 to test it every day if we needed it, it still would
24 not satisfy me because, supposing a deluge came in
25 the evening, late in the evening, towards midnight
26 and the test would be taken in the morning. Our
27 cattle would have probably taken their daily supply
28 of water requirements before that report was re-
29 ceived. I have a 50 acre field directly across
30 from where they want to start, 12 acres immediately



1 behind it. In those fields we pasture our yearling
2 and two year old heifers. I have no place to move
3 them to because at the front of the farm I do have
4 some pasture area, but there are 55 to 60 milk cows
5 in that area. Therefore, I cannot take these
6 yearlings and two year olds to that area. I could
7 fence them in that area, but the trees have all
8 died and there is no shade for them. There is no
9 way I am going to leave those cattle on that pre-
10 mises while I wait for a water test, even though
11 the rain is at midnight and they test at 8:00 o'clock
12 the next morning. There is still no way I can leave
13 those cattle there.

14 Q. Can you tell us the nature
15 of the cattle you are talking about, the purpose
16 for which you raise them and give us a rough idea
17 of the value?

18 A. Well, I can tell you what they
19 are. They are registered Holstein cattle. They
20 are descendants, many of them, from a herd that
21 was founded by my father in 1910. They are re-
22 gistered cattle. They have production and class-
23 ification records for many generations back and we
24 have sold them in the last 10 years, I suppose, to
25 probably at least 20 countries in the world. As
26 far as their value is concerned, it is rather
27 difficult to say, because we do not at any price
28 sell our best breeding stock because we need it for
29 breeding stock to supply sires to other countries.
30 At the present time probably the highest priced



1 animal in there at the present time that was for
2 sale -- we don't sell only the ones we want to sell
3 -- the highest priced one in there is sold now for
4 \$9,000. I can't say what could potentially -- feeding
5 them potentially contaminated water.

6 I would like to make one comment.
7 The Clarke Road site was designed according to the
8 plan for this site. We were told that the seepage
9 problem was greater there. There was much more
10 danger of seepage going down through the gravel
11 there than there is on the Westminster site. If
12 that is the case, we can expect more seepage at
13 the Westminster site than what is taking place at
14 the Clarke Road site and I personally saw it oozing
15 out of a side of the bank and right up on the
16 plateau. There was a place you couldn't walk be-
17 cause the pressure of earth and the weight of
18 garbage was forcing moisture just like you see in
19 the spring on a gravel road when you see the frost
20 going out and you see the water oozing up. There
21 is no way I can pasture that cattle on that property.

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22 Q. How many head do you have on
23 there?

24 A. We only have a portion of our
25 herd there, a quarter of our herd maybe. At the
26 last count I took there there were 44 head. We
27 moved some up to the barn just recently, but there
28 were 44 head there at the last count.

29 Q. From your experience in the
30 area could you relate to us the ability to dig out



1 frozen clay?

2 A. I don't know. I don't operate
3 those type of machines. I might say that I did have
4 a man digging a pond and I don't know the size of
5 the bulldozer in relation to those employed by the
6 city, but I know it was a bulldozer that was charging
7 me \$20 an hour, so it must have been a fair size. He
8 got a little bit late and there was a little frost
9 when he started, maybe about eight or ten inches of
10 frost and he was unable to operate on this pond
11 and he had to abandon it -- he just gave up on the
12 pond and it was pretty near two years later before
13 we could get that pond dry enough so we could go
14 ahead. That is all I know. I would say that when
15 the frost penetrates two to three feet it must be
16 very hard stuff to dispose of. Whether they have
17 equipment big enough, I don't think so.

18 Q. From your experience in the
19 digging of the pond to the extent that you have had
20 any experience there, when this bulldozer was taking
21 out the clay in the early part of the season, was it
22 coming out -- could you describe how the clay came
23 out? Was it ---

24 A. Naturally that clay is going
25 to come out in lumps varying in size. There would
26 be small ones the size of a baseball up to maybe
27 two or three feet anyway in diameter. It varies
28 a bit.

29 Q. Thank you. I have one last
30 area which I would like to dwell on with you. It is



1 with respect to old abandoned dug wells. Are you
2 aware of any dug wells on your property?

3 MR. WRIGHT: This, Mr. Chairman and
4 members of the Board, is on the Wellington Road site
5 itself.

6 THE WITNESS: Yes, I am aware during
7 the time I have operated the farm of five dug wells.
8 They range from 35 to 55 feet deep.

9 MR. WRIGHT: Q. When they were
10 abandoned, how were they filled?

11 A. First I will say why they
12 were abandoned. As our livestock population in-
13 creased, they didn't supply adequate water, so we
14 had to go to drilled wells. What we did was use
15 them for a disposal place for tin cans and old wire
16 and bent nails and all that type of thing that
17 accumulates on the farm until they got to within
18 about four feet of the top and then we filled them
19 with top soil. There are five of them on our
20 property.

21 Q. Would you comment as to whether
22 or not that was a general practice in the area or
23 was it strictly what you happened to do?

24 A. I wouldn't be in a position
25 to say that. That is what we did and I don't know
26 what other people did.

27 Q. Can you tell us whether or
28 not you are aware of any abandoned wells in the
29 proposed site?

30 A. I can't specifically say I know



1 of any. If there are five in our five hundred
2 acres, it would only be sensible to assume there
3 might be some in that area. That would only be an
4 assumption.

5 Q. Perhaps you could briefly comment
6 on your opinion of the depreciation of land values
7 in this area if this proposed site goes in?

8 A. I feel myself that the value
9 of our particular property is probably cut in half,
10 I would guess. As a matter of fact, I told my
11 neighbour Mr. Bradish who buys land once in a while,
12 I said, "Would you like to buy a farm?" And he
13 said, "There is no way I would want to buy a farm.
14 I want no part of it." A year ago I think he
15 would have thought about it.

16 Q. We will be hearing from Mr.
17 Bradish.

18 A. Maybe he will change his mind
19 and we will sell it before it is too late.

20 Q. It may not be too late yet.

21 MR. WRIGHT: Those are all the
22 questions I have.

23 THE CHAIRMAN: You say you have 500
24 acres?

25 THE WITNESS: To be exact, if you
26 want to be specifically exact ---

27 THE CHAIRMAN: Just approximately.

28 THE WITNESS: There are 535, 50 of
29 which is owned by my brother, 145 by one of my
30 sons and the balance, approximately 340 is owned by



1 me. There are 530 acres and every drop of water
2 dropping in that block on the south side of the
3 watershed has to run through watershed on property
4 owned by our family.

5 THE CHAIRMAN: You are all on the
6 south side?

7 THE WITNESS: Yes.

8 EXAMINATION BY MR. PLAXTON:

9 Q. I'm going to ask for Mr. Morris
10 to discuss with Mr. Shore some of these questions
11 that have been raised here.

12 VICTOR MORRIS, recalled:

13 MR. PLAXTON: If Mr. Shore could keep
14 the microphone, I could discuss back and forth a
15 number of questions that have been raised.

16 Q. Mr. Shore, I believe your
17 main concern is the feature of the run-off water
18 and any potential for contamination thereof? Any
19 contamination affecting your herd. Is that your
20 position?

21 A. That is partially right. I'm
22 concerned for other reasons too, other reasons that
23 were brought out by other members of this group. My
24 main concern is the contamination of ground level
25 water on my farm and other farms all the way down
26 this water system until it reaches Kettle Creek.
27 Not only myself, I can think of seven or eight
28 herds of livestock between Concession 7 and where
29 this intersection is with Kettle Creek.

30 MR. PLAXTON: Perhaps you could comment



1 on that?

2 THE WITNESS: I can't hear you.

3 MR. PLAXTON: I'm asking Mr. Morris
4 to comment on that aspect of your concern.

5 MR. MORRIS: I appreciate Mr. Shore's
6 concern. I think there is that basic difference
7 between this site and the Clarke site. You are
8 right that the run-off will be greater on this
9 site because it won't percolate through the clay as it
10 does through granular material. It is our contention
11 that this material will not percolate, won't build
12 up the amount of leachate that is present in the
13 Clarke Road site and we intend to collect that, so
14 the run-off material should not be contaminated. We
15 mentioned putting in storm ponds as a check on
16 holding to reasonable run-off. There is no question
17 that -- we couldn't hold any run-off like Hurricane
18 Hazel or something like that. If you are concerned,
19 it would be possible to put in an automatic monitor-
20 ing device which would record the PH and changes
21 in the water and these devices do have an alarm
22 device which would trigger that off and indicate
23 a change in the water quality which the night
24 watchman would be aware of. You could be warned
25 and immediate action taken.

26 Basically the contention is that we
27 won't contaminate.

28 THE WITNESS: Let me ask you a
29 question in that regard. Perhaps the monitor
30 showed up at 1:00 o'clock and some of my hired help



1 had not/ ^{COME} home, and I'm the only one left. How am
2 I going to round up those 44 heifers and it is going
3 to rain? Answer that, please?

4 A SPECTATOR: Ask Mr. Rowntree.

5 MR. MORRIS: Physically it can be
6 done. I recognize the problem.

7 THE WITNESS: It can't be done. Who
8 is going to do it?

9 MR. MORRIS: The city could make a
10 commitment to have the staff ---

11 THE WITNESS: I don't want any of
12 the city staff doing anything with my cattle. I
13 want that quite clear right now.

14 You must agree that what I say is
15 right. The leachate is going to get out -- I was
16 born there and lived there all my life. I have
17 seen water come through that runway directly out
18 of the Bradish property and I've seen it coming
19 down there 50 feet wide and approximately two feet
20 deep. I agree the greater the volume, the lesser
21 the contamination, I agree with that but the other
22 thing I didn't bring out and I want to see if you
23 agree with me is now the run-off, that rain is
24 falling on agricultural land, it is all in crop
25 or pasture. Okay. It is now going to fall on
26 bare ground therefore, it hasn't got the floating
27 qualities that the crops and roots and plants have.
28 Therefore, I would anticipate this run-off to be
29 very much greater now if you take on this landfill
30 project. I would anticipate the run-off to be far



1 greater than at the former time. Do you agree with
2 that? Mr. Morris, do you agree?

3 MR. MORRIS: The run-off ---

4 THE WITNESS: I asked you if you agree.

5 MR. MORRIS: I will have to qualify
6 water falling on uncovered ground will run off
7 faster than vegetated ground.

8 THE WITNESS: How can you convince
9 me or anybody else here that you can contain that
10 run-off? I agree, you can't do it.

11 MR. MORRIS: I don't agree ---

12 MR. PLAXTON: Q. Please let him answer.

13 MR. MORRIS: There is not a great
14 area that will be uncovered at any one time. We
15 will put grass on each area as it is finished. We
16 are not going to strip the whole thing. That gives
17 us a handlable amount as far as increased run-off
18 is concerned.

19 THE WITNESS: If you are going to
20 put grass on that as soon as it is completed,
21 apparently the Commissioner's Road has been abandoned
22 for years and I don't even see any top soil in there
23 yet, let alone grass. There is a two year period
24 right there coming off this plateau and down the
25 slopes.

26 MR. MORRIS: There is part of the
27 Commissioner's Road which has been top soiled and
28 seeded. We are saying this one we will do.

29 SPECTATORS: Oh!

30 THE WITNESS: I don't see why the



1 management will be any better on this one than we
2 have been led to see on Commissioner's and on the
3 Clarke Road. I know what I'm talking about on
4 Commissioner's. I was on the Western Fair board
5 and still am for 13 years and I have occasion to
6 cross Commissioner's area possibly four times a
7 week during that time and I have seen exactly what
8 takes place. Those are the reasons I am concerned.
9 I have seen it. I'm not going by what appears on
10 charts or what is going in theory. I'm a practical
11 farmer and I know what I see. I believe that most
12 of the people in our township will agree that I
13 know to some degree what I'm talking about.

14 MR. PLAXTON: Q. You are aware of
15 the evidence concerning the fact that Westminster's
16 -- the Commissioner's Road site is not an engineered
17 landfill site? It does not have leachate drains
18 for example? You are aware of that?

19 A. That is right. I'm aware the
20 Clarke Road site has that engineering advantage
21 and it is not doing the job.

22 Q. And you are also aware of
23 the differences between the soil conditions ---

24 A. That should help the condition.
25 That should help it rather than hurt it. It has a
26 place to get away. In our proposed site it has no
27 place to get away. It should help it and not hurt
28 it.

29 Q. I would like Mr. Morris to
30 comment.



1 MR. MORRIS: That is the difference.

2 The material that gets into the ground will not be
3 in contact with the garbage. When it is covered
4 with granular material, it goes through that more
5 so than through clay and does get in to build up
6 these deposits of leachate.

7 THE WITNESS: It is a matter of
8 opinion. You have yours and I have mine. And I
9 don't think they can be reconciled.

10 MR. PLAXTON: I think that is correct.

11 --- (Applause)

12 MR. WRIGHT: I don't anticipate any
13 questions from the audience.

14 THE CHAIRMAN: With two or three
15 people talking at the same time it must make it
16 very difficult for the reporter.

17 MR. WRIGHT: Now I would like to
18 call Mr. Bill Bradish, William F. Bradish.

19
20 THE CHAIRMAN: I wonder if this
21 would be an appropriate time to give our reporter
22 a break?

23 MR. WRIGHT: Yes.

24 THE CHAIRMAN: I think we will adjourn
25 until 11:00 o'clock.

26 --- Recess

27 --- Upon resuming

28 THE CHAIRMAN: Ladies and gentlemen,
29 if we will come to order.

30 MR. WRIGHT: I would like at this time



1 to call Mr. Wallace Laidlaw, the Reeve, ahead of
2 Mr. Bradish.

3 WALLACE LAIDLAW, called:

4 EXAMINATION BY MR. WRIGHT:

5 Q. Mr. Laidlaw, could you tell us
6 what offices you hold in the township and the county?

7 A. I am Reeve of Westminster
8 Township and a Warden of the County of Middlesex.

9 Q. Mr. Laidlaw, it has been
10 suggested that the resolution passed by the township
11 council in April was less than a rejection of the
12 proposal for this dump in the Township of Westminster.
13 Would you comment?

14 A. It was very definitely a re-
15 jection of it. It was a motion that was duly moved
16 and seconded. I asked for any further discussion
17 by members of council and then it was voted on and
18 carried unanimously. We were not in favour of this
19 motion.

20 Q. Thank you, sir.

21 It has also been suggested, however
22 obliquely, that there has been communication and
23 co-operation between the City of London and the
24 township since the date of the passing of that re-
25 solution. Could you comment on that as well?

26 A. There hasn't been anything to
27 the best of my knowledge.

28 MR. WRIGHT: Mr. Rowntree, you were going to
29 produce a letter and deliver it personally. Do you
30 have that letter with you?



1 MR. ROWNTREE: Mr. Chairman, I have
2 that letter and I have -- this is a photostatic
3 copy. I would like to present it to Reeve Laidlaw
4 with my personal apology. Reeve Laidlaw indicated
5 to your Board he had not received it when he spoke
6 yesterday. I can only suggest that the letter was
7 either lost in the mail or some other inadvertence,
8 but on investigating the matter I found that to the
9 best of our knowledge it had left the City Hall
10 offices.

11 MR. WRIGHT: Q. I'm not going to
12 ask you to comment on the letter because this is
13 the first time you've seen it.

14 Aside from that which you have just
15 received now, is that the only communication you
16 have received from the City of London since the
17 April resolution?

18 A. Yes.

19 MR. WRIGHT: Those are all the
20 questions I have of Mr. Laidlaw.

21 EXAMINATION BY MR. PLAXTON:

22 Q. Have you -- now that you have
23 in fact received a copy of the letter, it might
24 refresh your memory.

25 A. I never received this letter
26 before so how could it refresh my memory? I have
27 glanced at the heading and I never received this
28 letter.

29 Q. Thank you.

30 Reeve Laidlaw, do you consider the



1 disposal of waste in another area to constitute
2 a difficulty for the township as well?

3 A. I just don't understand your
4 question.

5 Q. Where does the township waste
6 get disposed of? Where is it taken?

7 A. Our disposal from the Township
8 of Westminster is handled by private enterprise.
9 Where it is disposed of I am not prepared to say.

10 Q. Is that because you don't know?

11 A. It isn't any concern of ours.
12 As long as the man does a satisfactory job and it
13 is within the boundaries of our township, that is
14 the extent of our concern.

15 Q. So that your position is that
16 the location of waste disposed of by the Township
17 of Westminster is of no concern to the council?

18 A. It is a concern as long as it
19 is handled by private enterprise satisfactorily.

20 Q. But the actual location to
21 which it is brought is of no concern to you?

22 A. No, it isn't a concern of ours.

23 Q. I understand you to say that
24 you refuse to tell us where it goes?

25 A. I'm not refusing to tell you
26 where it goes, but I can't tell you accurately.
27 It has been going to one location and I think now
28 maybe it is going to another location. Where it
29 is all taken I don't know.

30 Q. So it is one or other of two



1 locations? Is that correct?

2 A. I can't say for sure.

3 Q. Reeve Laidlaw, have you not
4 visited the site in St. Thomas near the Kettle
5 Creek, across the creek from the sewage treatment
6 plant?

7 A. I have not been at that plant
8 since previous to letting the contract.

9 Q. My information, sir, is that
10 the waste of your township is taken to a landfill
11 site abutting Kettle Creek in or near the City of
12 St. Thomas. Is that within the township limits?

13 A. Of Westminster?

14 Q. Yes.

15 A. No.

16 Q. Is that your information?
17 Is that your information as to the location ---

18 MR. WRIGHT: Are you inferring that
19 this is the location? He says he doesn't know.

20 THE WITNESS: I don't know whether
21 it is going there or Southwold or other properties
22 which are owned by the contractor.

23 MR. PLAXTON: Q. So far as you can
24 recall you can recall two possible sites among
25 others, you said. Where are those two sites?

26 A. Southwold or Kettle Creek,
27 the one adjacent to the City of St. Thomas.

28 Q. And the Southwold site, is
29 that a McKegg site?

30 A. Mr. McKegg has our contract.



1 Q. Would that be the site in
2 respect of which there is an application pending
3 now to this Board for a certificate of approval?

4 A. I can't tell you.

5 Q. What is your comment concerning
6 the disposal by the township of waste outside the
7 township limits?

8 A. If there is a suitable area
9 beyond the township, that is where it is going.

10 Q. Is the area in question to
11 which I have referred near the City of St. Thomas,
12 was that formerly agricultural land?

13 A. I don't know.

14 Q. And can you indicate whether
15 the township has evolved ^{and} /approved of a draft
16 official plan, sir? We have that in evidence
17 already, that in December of 1972 an official plan
18 was drafted and approved by council. Do you agree?

19 A. Is this the official plan for
20 the Township of Westminster?

21 Q. Yes.

22 A. It was drafted and sent in for
23 approval prior to that.

24 Q. In the event, sir -- in any
25 event do you recall section 16 of the plan dealing
26 with the disposal of solid wastes and liquid wastes
27 in the township?

28 A. No, I don't.

29 Q. The official plan sets out
30 basically -- we have this in evidence already -- the



1 policy whereby the township will allow for the
2 disposal of solid wastes on land of any land use
3 category, provided that certain conditions are met.
4 Among those conditions are, of course, things re-
5 lated to pollution of soil, ground, water, air or
6 otherwise not injurious, it has to be shown the
7 effect is not injurious to the health or amenities.
8 It also calls for approval of various authorities,
9 one of which, of course, would be this Board or
10 the Executive Director issuing a certificate of
11 approval. Now, if the certificate of approval were
12 granted here, would you agree that -- and the Medical
13 Officer of Health approved of it and the various
14 conditions were met as set out, would you agree
15 that the official plan contemplates an amendment
16 by the Township of Westminster to the zoning by-
17 laws to enable such a use to occur?

18 A. I wouldn't comment on that
19 until I had time to study it. I have not studied
20 it recently and I'm not prepared to comment.

21 MR. WRIGHT: Mr. Chairman, this official plan
22 is still under review. While I don't want to put
23 it into evidence unless my friend demands it, this
24 particular section is under review and there is a
25 comment by the Waste Management Branch to the
26 effect that the expression "any land use category"
27 is too wide and must be re-examined. If my friend
28 wishes me to put that in, I can, but I don't think
29 a great deal turns on the official plan.

30 MR. PLAXTON: Mr. Chairman, I think



1 we have got this evidence in. If he wants to put
2 that in, I would be delighted to have it before you.

3 MR. WRIGHT: It is not a change I
4 can put in. This just reflects the official plan.
5 The words are not as they will appear in the final
6 draft.

7 MR. PLAXTON: Q. Have you as a
8 township received correspondence from the Ministry
9 in Toronto with respect to the approval of the
10 official plan?

11 A. We have had comments from them,
12 but not anything official as to approval of our
13 official plan yet.

14 Q. But I understand you have had
15 a lengthy letter setting out various amendments,
16 is that correct?

17 A. Yes.

18 Q. What comment, if any, is made
19 in that letter with regard to Section 16 of the
20 official plan, the one I referred to you on waste?

21 MR. WRIGHT: Mr. Chairman, if I may
22 be of assistance, as a matter of information, the
23 letter referred to is to Mr. K. Hidaka.

24 THE WITNESS: This is a letter to
25 Mr. K. Hidaka, one of M.H. Kilpatrick and Associates
26 Limited's people.

27 THE CHAIRMAN: Could you come closer
28 to the microphone?

29 THE WITNESS: This letter is
30 addressed to Mr. K. Hidaka of M.H. Kilpatrick
Associates Limited, Community Planners and Consulting



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1 Engineers, Willowdale, Toronto. This lists the
2 agency comments from the various ministries and it
3 has been gone over by the township council and sent
4 back to the senior planner of the official planning
5 section, Planning Administration Branch, Mr. Louis
6 Spittal. We have not heard anything further.

7 MR. PLAXTON: I would ask that a copy
8 of the letter be furnished to us and a copy go in
9 as evidence here.

10 THE CHAIRMAN: Mr. Plaxton has asked
11 that a copy of the letter be entered. May we have
12 a copy for our files?

13 MR. WRIGHT: We will undertake, Mr.
14 Chairman, to get a copy as soon as we can.

15 MR. PLAXTON: Q. What comment does
16 this letter make with respect to Section 16 of
17 the official plan as drafted?

18 A. The council felt that we were
19 very much concerned about the allowance of develop-
20 ment of waste disposal sites in any land use category,
21 but we also felt that final control of this waste
22 disposal site was under the jurisdiction of the
23 Waste Management, so it is beyond our control
24 actually.

25 Q. I take it, therefore, the re-
26 quirement for the Township of Westminster in fact
27 to approve of the use other than by way of amending
28 the zoning by-law as to the technical plan and so
29 on, matters of that kind would be referred to the
30 Waste Management Branch of the Ministry of the



1 Environment?

2 A. No.

3 Q. Well then, what is your concern
4 again?

5 A. It is not in favour of it.
6 The final approval has to come from the Ministry.

7 Q. I see. So the letter was sent
8 back suggesting that the township was not -- a letter
9 went back suggesting the township did not agree to
10 the amendment to the official plan. Is that correct?

11 A. There were a great many comments
12 had to be in this letter and I can't tell you the
13 exact wording of the letter that went back.

14 Q. I see.

15 A. I haven't got it in front of me.

16 Q. I wonder if we could be furnished
17 with a copy of that letter?

18 MR. WRIGHT: The whole letter?

19 MR. PLAXTON: The one going back.

20 MR. WRIGHT: We will try to get it
21 for you. I don't know whether we will be able to
22 get it for you today, but we will certainly get
23 it to you before you leave here.

24 THE WITNESS: I might add, Mr. Chairman,
25 that if it takes as long for the township to get that
26 letter as it did for me to get this letter, we might
27 be here for quite awhile.

28 --- (Laughter and applause)

29 MR. PLAXTON: Q. Reeve Laidlaw, do
30 you consider waste disposal to be a problem beyond



1 the Township of Westminster? Do you think of it
2 in terms of a regional problem?

3 A. Waste disposal is a problem
4 all over this province.

5 Q. Regional?

6 A. Provincial.

7 Q. And I would ask you about
8 certain meetings that were held prior to the April
9 resolution. Do you recall meeting with city
10 officials on two occasions with regard to a selection
11 of a site in the Township of Westminster for landfill
12 purposes?

13 A. Do you mean council meetings?

14 Q. Yes, sir. No -- informal
15 meetings of your council with representatives of
16 the city?

17 A. No.

18 Q. How about council meetings?

19 A. There was one council meeting
20 only.

21 Q. Did you have meetings -- I'm
22 asking you any meetings between you and the city
23 officials with respect to this proposed sanitary
24 landfill in the township anywhere?

25 A. There was one informal meeting
26 and one meeting of the council.

27 Q. So there were two meetings?

28 A. Yes.

29 Q. And did one of those meetings,
30 at one of those meetings was concern expressed by



1 your township council with respect to site W-12
2 which, if you don't recall, was the proposal for
3 the use of the gravel pit area lying somewhat to
4 the north of the present site? Do you recall that
5 being discussed?

6 A. That was at a previous informal
7 meeting. It was not of the council.

8 Q. And did members of the township
9 council who were at that meeting express concern
10 about the use of gravel pits for this purpose?

11 A. Whether they were desirable
12 or not was asked.

13 Q. Did they make recommendations
14 about moving the site to the current location?

15 A. No.

16 Q. Do you recall saying that the
17 site should be 1,000 acres and not 405 or whatever
18 we had at that time?

19 A. To the best of my knowledge
20 I never said that.

21 Q. I am informed you made that
22 statement yourself personally.

23 A. Somebody is wrong. If you are
24 referring to the meeting last December, there was
25 two of us met informally with some of the city
26 officials, I was the one who wanted to cut it down
27 from 1,000 acres.

28 Q. Reeve Laidlaw, I'm informed
29 that there was also a site inspection done at which
30 you were present along with others of your council



1 and along with the City of London council re-
2 presentatives and city representatives. Is that
3 correct? Was there such an inspection conducted?

4 A. I was on an inspection.

5 Q. While on that inspection did
6 you make a suggestion that the whole block should
7 be taken?

8 A. I did not.

9 Q. Did you not make a suggestion
10 that 1,000 acres be taken?

11 A. I did not.

12 Q. Did you indicate encouragement
13 to the city at this time?

14 A. No, I didn't encourage the city.

15 Q. You didn't. Did you indicate
16 that you would be interested as a township in using
17 the landfill site at any time?

18 A. Yes.

19 Q. You did?

20 A. Yes.

21 Q. And did you indicate that
22 perhaps the site should be on the other side of
23 White Oak Side Road?

24 A. Yes.

25 Q. Did you indicate you were happy
26 to see clay material being used instead of the gravel
27 pit?

28 A. No.

29 Q. Were you concerned about the
30 supply of gravel pits from the standpoint of the



1 Township of Westminster use?

2 A. Westminster has not used those
3 gravel pits for a good many years.

4 Q. Or the availability of gravel
5 to the township generally? Was that concern expressed?

6 A. Not that I remember of.

7 MR. PLAXTON: Mr. Chairman, I need
8 a couple of minutes to prepare. I am sorry.

9 Q. Do you recall having a convers-
10 ation with Mr. Rowntree the City Engineer on the
11 telephone about this landfill site?

12 A. Yes, I had a conversation with
13 him.

14 Q. And did you not indicate in
15 one of those conversations with Mr. Rowntree that
16 the township council would be sitting on its hands
17 with respect to this matter and would not get
18 involved?

19 A. No.

20 Q. You did not say that?

21 A. No.

22 Q. Did you say anything like that?

23 A. No.

24 Q. Did you make any indication
25 whatsoever of the intention of the township council
26 not to actively oppose this application?

27 A. I am trying to recall exactly
28 what I did say to Mr. Rowntree. It was several
29 months ago but I did tell him there was going to be
30 definite opposition to it.



1 Q. Several weeks ago perhaps?

2 A. Months.

3 Q. Before April?

4 A. Yes.

5 Q. And you do not recall ever
6 saying that the township would not object to the
7 city coming in here for this landfill purpose?

8 A. No.

9 MR. PLAXTON: Mr. Chairman, we need
10 a few minutes to consult our file. We have notes
11 of the conversations and I want to get this.

12 SPECTATORS: Oh!

13 A SPECTATOR: Sounds like Watergate.

14 MR. WRIGHT: I wonder if my friend
15 could indicate the direction in which he is moving?
16 I think that if he is trying to dispute, the only
17 thing we are concerned about is the statement that
18 was made, the broad statement there was some co-
19 operation after council made a final ---

20 MR. PLAXTON: I never made that
21 statement.

22 MR. WRIGHT: All I'm trying to do is
23 get an idea of the direction in which you are going
24 because I don't think you are in any way assuming
25 there was consultation further than the preliminary
26 discussion. If you're trying to assume that, I don't
27 think you have to go to any great lengths to try to
28 establish that.

29 MR. PLAXTON: What I'm trying now to
30 establish is that there was active encouragement.



1 MR. WRIGHT: There is no active .
2 encouragement now. There has not been any active
3 encouragement since April, so I'm not sure that any
4 suggestion made prior to that time has any rele-
5 vance here. I submit that the time element is
6 working in your favour and the longer you tie us
7 up here, the less chance we will have to put in
8 our case.

9 A SPECTATOR: That is right!

10 --- (Applause)

11 THE CHAIRMAN: Order.

12 We are here as a Board to hear both
13 sides of the argument and we have been here four
14 days. This is the fifth day and we want to report
15 back to the Board what your comments are relevant
16 to this proposed site.

17 MR. PLAXTON: Yes, sir.

18 THE CHAIRMAN: The point you are trying
19 to make, is it comments that were made before the
20 resolution?

21 MR. WRIGHT: Yes. All I was trying
22 to establish is that the township wasn't -- the
23 township wasn't so unreasonable as not to ever
24 discuss it with them, but after they made the
25 decision they completely cut it off and cut off any
26 further communications subject to one letter which
27 has just been delivered.

28 MR. PLAXTON: I think we could pur-
29 sue this matter with other witnesses further unless
30 Mr. Rowntree has found something.



1 Q. Briefly, Reeve Laidlaw, is
2 there any real hope for the City of London and
3 the Township of Westminster in your opinion working
4 out the differences on this matter?

5 A. I told the people at the time
6 that I would co-operate with anybody that had any-
7 thing which would be to the betterment of the whole
8 area. The way the city is handling this project
9 now I can't see where it will be a betterment to
10 the Township of Westminster.

11 Q. For what reason, sir?

12 A. That they are getting into a
13 ball game they know absolutely nothing about as to
14 how to handle heavy clay land. I have been an
15 observer at the Clarke Road landfill site different
16 times where they are working in a completely differ-
17 ent type of soil and if they think they can handle
18 this heavy clay in Westminster the same way, it is
19 hopeless.

20 Q. Reeve Laidlaw, there appears
21 to be evidence -- indeed there is evidence to the
22 effect that clay is the best material to look for
23 for a landfill site. The reason is it is im-
24 permeable or more or less impermeable, more im-
25 permeable indeed than any other kind of soil. That
26 is protection against the water problem that could
27 otherwise result. That is the evidence. In the
28 light of that evidence, even though it may be diffi-
29 cult to work with, there is equipment available,
30 do you agree, that can do it?



1 A. Not the present equipment of
2 the City of London.

3 Q. Perhaps you are suggesting
4 larger equipment would have to be used. Is that
5 what you are saying?

6 A. Did you ever walk across a
7 real heavy clay field in a rain like we've been
8 having the last few days?

9 Q. I had to clean my shoes after
10 visiting the site after the rainfall the other night.

11 A. Not in the rainfall?

12 Q. Not in the rainfall.

13 A. There is a big difference.
14 According to the book, it can be handled all right,
15 but when you put it on a practical basis, speaking
16 as a farmer, born a farmer and I'm still a farmer,
17 there is no way it will ever be satisfactory.

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18 Q. Are you also familiar with
19 major construction techniques, earth-moving tech-
20 niques?

21 A. As an observer, yes.

22 Q. Not as an expert as you would
23 be as a farmer?

24 A. I am a farmer.

25 Q. So that aspect is not within
26 the realm of your expertise?

27 A. No.

28 Q. Again I really am getting at
29 the question is there a way whereby your township
30 in the future and the city could try to co-operate



1 on a matter of this very urgent kind here? It is
2 really a regional problem, don't you agree?

3 A. It would have been at one time,
4 but there have been different municipalities just the
5 same as Westminster have had to go and solve our own
6 problems in our own way. Some of the past actions
7 of the city in other matters make it look kind of
8 weak.

9 Q. We are trying to present at this
10 hearing all of the technical evidence to support this
11 application in a manner in which will invite comments
12 from everybody. We have been fully open about this
13 and it is frankly a provision of the city that we
14 would ask that the township council consider it in
15 the same light as a regional matter dealing not only
16 with the city, but the township, and involving the
17 waste of both. You are aware, of course, of the
18 offer of the city to have the township come and join
19 the city at this site and use it together on a co-
20 operative basis? Are you aware of that offer?

21 A. At one time I was also aware
22 we had been told we would not be able to use it
23 after we passed that motion on April 2nd. This was
24 unofficially.

25 Q. You have heard evidence to
26 the effect that the city has agreed in principle
27 to work out with the township an agreement satisfac-
28 tory to both parties for the use of this site? In
29 the light of that comment, can you indicate what the
30 position of the township is?



1 A. This would have to be a decision
2 of the township council.

3 Q. What would your view be?

4 A. No comment at the present time.

5 MR. WRIGHT: The situation could change
6 immeasurably if this thing is approved. If it is
7 approved and being forced down their throats, they
8 are going to have to live with it and might as well
9 take what little advantage they can.

10 --- (Applause)

11 MR. WRIGHT: I might say the city's
12 reasonableness, according to that little sign, "Be
13 reasonable -- do it my way."

14 MR. PLAXTON: Q. Reeve Laidlaw, I
15 am wondering if you are aware of two resolutions
16 passed by the city, one of which is directed hope-
17 fully to council -- both of them actually to council
18 on August the 7th. One of the resolutions, if
19 adopted by council, will recommend that the Middle-
20 sex County Council be requested to indicate whether
21 or not it would be interested in participating in a
22 regional waste study in conjunction with the City of
23 London in order to determine the present sources of
24 waste and present disposal sites in the region and
25 to undertake a technical assessment of the feasibility
26 of reuse, reclamation and recycling for the region
27 and an analysis of cost sharing alternatives, it
28 being pointed out that the province has recently
29 announced financial aid is available to subsidize
30 area waste management studies? I believe we have



1 had in evidence that your township council has
2 representation the Middlesex County Council, and
3 therefore, I assume would take the position by way
4 of instruction to those members on this proposal.
5 What are your views with respect to this proposal
6 of regional sites?

7 A. This is the first I have heard
8 of that. We never received anything formally about
9 it and I will not pass a snap judgment.

10 MR. MOODIE: What is the date of
11 the resolution?

12 MR. PLAXTON: The date of the re-
13 solution was July 30th, 1973, Monday of this week.
14 It was reported in the press, I believe.

15 I have no further questions of
16 Reeve Laidlaw. Thank you.

17 THE CHAIRMAN: Anyone else who would
18 like to ask Reeve Laidlaw any questions?

19 If not, you are free to go, Reeve
20 Laidlaw. Thank you.

21 MR. WRIGHT: I'm passing around
22 copies as requested. There is not a copy of the
23 reply to that letter there.

24 The next witness I wish to call is
25 Mr. Bill Bradish.

26 WILLIAM F. BRADISH, called:

27 EXAMINATION BY MR. WRIGHT:

28 Q. Mr. Bradish, could you point
29 out on the map where your farmland is, where the
30 farmland of your son is and the relationship between



1 you and your son in relation to the farming operation
2 carried out by you?

3 A. This 50 acres (indicating)
4 belongs to Tom, my son. Is that right?

5 We also have from Wellington Road down
6 the road here (indicating) on the south side which
7 belongs to me personally, but this land is rented
8 by the company from Tom and worked as one unit.

9 Q. You are jumping into it a little
10 bit too fast.

11 A. Sorry.

12 Q. Perhaps I could just briefly
13 outline it. There are certain properties which
14 Mr. Bradish will be discussing that are owned by
15 various people, himself and his son in particular,
16 but the farming operation is carried on by a cor-
17 poration. It is Wm. F. Bradish & Sons Limited. In
18 that context, go ahead, Mr. Bradish. It is just
19 you were starting to talk about the company and
20 this sort of thing.

21 A. Where do I go now?

22 --- (Laughter)

23 Q. The farm operation takes place
24 actually on the site, the proposed site?

25 A. On this one (indicating). This
26 50 acres is worked with this property here as one
27 unit. We have three or four different units. This
28 50 acres, without that 50 acres there, this farm
29 is cut in two as far as production because we have
30 established a big feed lot there to the tune of



1 around \$30,000. If this 50 acres is taken away,
2 our investment there is gone for nothing.

3 Q. Because the acreage left will
4 not support the capital expenditure?

5 A. Yes. On this farm we keep
6 from 100 to 150 head of cattle all the time.

7 Q. Can you tell me how long you
8 have been farming in this area?

9 A. I bought my first cow March
10 15th, 1915 at Woodstock Community Sale. I have
11 been buying cows ever since.

12 A SPECTATOR: How much did you pay
13 for it?

14 THE WITNESS: I paid \$145 for a
15 purebred cow and I brought it home and she had a
16 red and white calf. In those days it was a dis-
17 grace, but today I would have been right up on top.
18 --- (Laughter)

19 MR. WRIGHT: Q. How long have you
20 been operating your farm unit on the 50 acres on
21 the proposed site?

22 A. This farm here (indicating),
23 about 15 years and this farm, 33 years. It was
24 bought in 1940.

25 Q. Could you tell us what has
26 been produced on that 50 acres which is on the site?

27 A. We have a wonderful crop of
28 wheat that went just about 50 bushels an acre this
29 year and weighed 59 pounds to the bushel. This year
30 it was remarkable. The wheat has only weighed 50.



1 I think some of the members who walked over the
2 straw could see it was a bumper crop of wheat,

3 Q. Was this year an ideal year for
4 wheat?

5 A. No, we got a late frost and
6 it affected the wheat.

7 Q. What is that land capable of
8 in your opinion?

9 A. That crop would have been
10 60 bushels an acre if it had been a good wheat year.

11 Q. Can you tell me about -- are
12 you aware of any wells, old dug wells in that
13 property that you have been on for 15 years?

14 A. Not on this property.

15 Q. Can you tell us about dug wells
16 generally in the area?

17 A. We filled in two on this
18 property a number of years ago, but we happened to
19 have a lot of clay from excavating and we filled
20 them with clay.

21 Q. Could you tell us in your
22 experience what the general practice has been with
23 respect to closing dug wells?

24 A. Pardon?

25 Q. Can you tell us from your
26 knowledge in this area what most people do when
27 they abandon dug wells?

28 A. I wouldn't want to start off.

29 Q. You wouldn't want to start off?

30 A. No.



1 Q. Can you comment on digging out
2 frozen clay?

3 A. We have had a little experience
4 when we built our feed lot and we couldn't do it
5 in the winter. We had to wait until the next summer.
6 It was impossible. I think it is impossible up
7 here (indicating).

8 Q. Can you give us some idea of
9 what kind of snow there is in this area?

10 A. I have seen eight feet of snow
11 on the 7th Concession Road and a man who lives in
12 a house there kept people over night. They would
13 be stuck here on the 7th (indicating).

14 Q. Could you comment on the trees
15 on the roadline of Concession 7 Road?

16 A. We have a beautiful row of
17 Maple trees in front of this house (indicating).
18 That used to be an orchard. There is a row of
19 Spruce trees and a row of Maple trees. That is
20 what I was worrying about yesterday when I tried
21 to get Mr. Rowntree to tell us what they would be
22 doing with the road.

23 Q. You were worried about the
24 trees?

25 A. That he was going to cut all
26 the trees down and our house is only 75 feet from
27 the farmhouse to the old road allowance. I couldn't
28 get an answer from Mr. Rowntree.

29 MR. PLAXTON: Are the trees on your
30 property?



1 MR. WRIGHT: They are on the road
2 allowance.

3 THE WITNESS: The Maples are and the
4 Spruce trees are on our land. The Maples are on the
5 road allowance.

6 MR. WRIGHT: Q. Can you comment on
7 the possibility of cropping in this area with or
8 without tile drains?

9 A. We bought this 15 years ago
10 and I think all the neighbours will agree, for the
11 first three years we didn't get too much, so we
12 tiled it and we have had good crops ever since.
13 This land would not be worth a cent if it was
14 reclaimed as Professor Webber says without tile
15 drains. It wouldn't be worth a dollar an acre, as
16 far as agriculture is concerned.

17 Q. Can you tell us about any
18 gravel or sand which you are aware of in that 50-
19 acre parcel?

20 A. There is a section here
21 (indicating), I would say it might take in 10 acres
22 with about four feet of sandy loam or sand with
23 a clay sub-soil.

24 Q. It is four feet in as far as
25 you have investigated it?

26 A. It would be about four feet,
27 I imagine. You would have to test it different
28 ways because it would vary.

29 Q. You haven't and the city hasn't
30 so nobody knows?



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1 A. No.

2 Q. Mr. Bradish, you on behalf of
3 the farm wanted to put in a very brief letter.
4 Perhaps you can read it and hand it to the Secretary
5 when you have finished.

6 A. Mr. Chairman:

7 "Regarding: 50 acres of land owned by
8 Tom Bradish and desired by
9 the City of London for the
10 sanitary landfill.

11 This 50 acres is worked by us along with
12 the farm which is situated across the
13 road, on the south side of the 7th Con-
14 cession of the Township of Westminster.
15 On this latter property, we have invested
16 \$30,000 in a feedlot. If the 50 acres
17 across the road is taken out of pro-
18 duction, we are left with a large in-
19 vestment and not enough land to work
20 the feedlot to capacity.

21 Also, if the 50 acres is used as a
22 sanitary landfill, our farm across the
23 road is devalued to the extent of..."

24 I have \$10,000, but who knows ---

25 "What compensation is there to us for
26 this?"

27 THE CHAIRMAN: I wonder if we could
28 have that for our file?

29 THE SECRETARY: Thank you.

30 THE CHAIRMAN: Is this 50 acres owned
by your company? Do you own it or only have a lease?

THE WITNESS: Tom, my son owns it, but



1 it is rented by the company to work in conjunction
2 with this other farm.

3 MR. WRIGHT: Those are my questions
4 of Mr. Bradish.

5 MR. PLAXTON: I have one or two
6 questions.

7 EXAMINATION BY MR. PLAXTON:

8 Q. You spoke of the practice of
9 closing old wells and you declined to answer. I
10 wonder if you could tell us what is the practice
11 in the area with regard to closing of old wells?

12 A. Well, I'm just telling you
13 what we did. We happened to have some clay from
14 some excavation and we got rid of the clay that way.

15 Q. Are you aware of any other
16 practices in the area?

17 A. There could be anything.
18 They could dump down dead calves, I wouldn't know.
19 --- (Laughter)

20 I wouldn't have a clue. I know we
21 filled two wells on this property (indicating), and
22 we had to drill a deep well, thanks to the city,
23 for draining our other one.

24 Q. Is there land which is com-
25 parable to the land you are speaking of available
26 within Concession 6 and specifically referring to
27 about 60 acres of land in the north half of Lot
28 21, Concession 6, which is not now ---

29 A. Who owns it?

30 Q. I'm sorry, I can't tell you.



1 I don't know. Sixty acres of land there, Lot 21,
2 Concession 6, which is agricultural land and is
3 not now being cropped?

4 MR. SIFTON: That would be south of
5 White Oaks.

6 THE WITNESS: That would be alongside
7 the White Oak Road, wouldn't it?

8 --- (Many speakers speaking at once.)

9 MR. PLAXTON: Q. There is another
10 lot, number 27, 7th Concession, north half, 100
11 acres, no crops?

12 A. No crops?

13 Q. That is right.

14 MR. SHORE: I would like to speak on
15 that, if I may. I have land there. The piece of
16 property you are talking about I have had for about
17 12 or 15 years and due to a severe weather condition
18 last year we had no crop in, but coming fall this
19 year I'm putting a crop in. I have it planted.

20 MR. PLAXTON: Q. Mr. Bradish, I'm
21 saying is there land in the vicinity in your opinion
22 that could be used for agricultural use?

23 A. If there was, sir, I would have
24 it bought because there is very little land and I
25 hate to see good agricultural land go for a dump.
26 You may call it a sanitary landfill, but it is still
27 a dump. I think the whole trouble is that a lot of
28 professors and engineers sitting in an office all
29 winter, drawing little forms on cardboard come out
30 in the country and it is nice weather and they want to



1 take it. That is the sum and substance of it.

2 They never think of the eight feet of snow here in
3 the winter and the blizzards we get across here.

4 Q. I see. I have no other questions.

5 --- (Applause)

6 THE CHAIRMAN: Have you any other
7 witnesses?

8 MR. WRIGHT: Yes, I have. Perhaps
9 we could deal with the pictures at the moment. I
10 understand my friend is prepared to admit the
11 pictures, subject to his right to make comments on
12 them.

13 MR. PLAXTON: Yes, the city officials
14 want to comment.

15 THE CHAIRMAN: Can you finish that
16 before lunch?

17 MR. PLAXTON: After lunch, Mr.
18 Chairman.

19 THE CHAIRMAN: I think it would be an
20 appropriate time to break for lunch.

21 MR. ROBERT WRIGHT: Mr. Chairman, if I
22 may before we break for lunch I have a couple of
23 words I would like to say. We were a little late
24 coming back.

25 THE CHAIRMAN: Mr. Wright is presenting
26 his argument now. Do you want to hear this witness?

27 MR. WRIGHT: I have got two more
28 witnesses and this gentleman is not one of them.

29 THE CHAIRMAN: Would you prefer to
30 finish your case?



1 MR. WRIGHT: I'm content to let him
2 come in. I've no idea what he's going to talk about.

3 MR. PLAXTON: There is one other
4 matter, Mr. Chairman. The Mayor of the city is
5 here and has urgent meetings this afternoon. She
6 would like to say a few words. I'm wondering if
7 she could be allowed to come to the stand at this
8 time?

9 THE CHAIRMAN: I think we had better
10 hear both sides before we break for lunch.

11 MR. ROBERT FISHER: I wish to address
12 what I have to say to you, Mr. Chairman, and members
13 of the Board and Mayor Bigelow.

14 As you are well aware the City of
15 London is in a desperate position as they have a
16 very short time in order to prepare a means of
17 garbage disposal. I hope this will not be considered
18 in your final decision as there are many other human
19 aspects involved in this matter. Lives will be dis-
20 rupted, homes disturbed and livelihoods discontinued
21 and all the other disturbing effects a garbage
22 disposal will have in the community.

23 The city have planned a Garden of
24 Eden for us and they have made many promises that I
25 think you and I well know will never be implemented.
26 As I said before, they are desperate and will say
27 anything that they think will open the way for
28 them. As I understand the length of this site
29 will be 20 years. Mr. Chairman, I think you and I
30 both know that within that time the Province of Ontario



1 will institute legislation preventing the use of
2 landfill sites as we now know them. What happens
3 to our site half filled? Do we still get our Garden
4 of Eden or will it be weeds and uncovered garbage
5 facing our township?

6 Mr. Plaxton and his witnesses have
7 done an excellent job in presenting their case as
8 it is their job to do what they have done and
9 they are being well paid for it by the city. I
10 think that in their own minds they feel sorry for
11 us but are only protecting their jobs and families
12 the best way they know how. Even in their own minds
13 they can't foresee all they have told us coming
14 true.

15 Mr. Chairman and the members of the
16 Board, I beg you on behalf of myself and my family
17 and the rest of the people here today, please, when
18 you make up your recommendation to your superiors
19 and the Province of Ontario, please recommend in-
20 cineration and recycling for the City of London
21 to dispose of their garbage as these means are
22 available at the present time and if the city
23 were to take this route in the very near future, they
24 could be ready in time for their use as their present
25 sites are being filled up.

26 The city have the knowledge and
27 money available to make these latest techniques a
28 model plan for Canada and Western Ontario in which
29 I think the ratepayers of the township would be
30 very happy to support.



1 Thank you for your time.

2 THE CHAIRMAN: You said you and I
3 know what is going to happen. You speak for your-
4 self. I don't think it is up to you to suggest
5 what I know.

6 MR. FISHER: I said it was an assump-
7 tion on my part as to what you know.

8 THE CHAIRMAN: Are you a property
9 owner?

10 MR. FISHER: I live about a mile
11 away from the Village of Glanworth.

12 MR. PLAXTON: That is southeast of
13 the site on Wellington Road?

14 MR. FISHER: Right.

15 THE CHAIRMAN: Any other questions?
16 --- (Applause)

17 MR. PLAXTON: I call Her Worship,
18 Mayor Bigelow.

19 HER WORSHIP MAYOR BIGELOW, called:

20 MR. PLAXTON: I would like to make
21 it clear for the record the Mayor arrived about
22 an hour ago and has not been at this hearing
23 throughout the whole course of the hearing other
24 than for this past hour. Accordingly, her evidence
25 will not be lengthy or her statement directed to
26 the technical discussion of plans related to the
27 engineering of the site, but rather to the principals
28 involved.

29 THE WITNESS: Just in response to
30 those previous remarks, I had thought this was a



1 technical hearing and I am not a technical expert
2 in the matters which are going on, but I did want,
3 since it has become somewhat ---

4 THE CHAIRMAN: We try to keep these
5 hearings more or less informal, so if people -- if
6 you want to comment, you may just say what you want
7 to say.

8 THE WITNESS: I think one point I
9 would like to make is that I think the City of
10 London has been accused of wielding a big stick,
11 if you will, and it has been brought out in the
12 last hour certainly that we have approached the
13 township and I believe I was at two of the meetings
14 with the township council members. Our purpose
15 of going to the township was to see how they felt
16 about our proposals before we made a decision. If
17 the township council had said to us, "No, we don't
18 want to have anything to do with it," when we first
19 went to see them, we certainly would have looked at
20 alternatives. From discussions that we had with
21 the township I don't think that we got anything
22 but some kind of encouragement and I believe that
23 Mr. Plaxton brought out some of the remarks that
24 were made at those meetings and I would concur
25 in those remarks.

26 In other words, when we looked at
27 the area which was a gravel pit it was remarked to
28 us that perhaps there was some gravel left and this
29 could be of use to the township. Perhaps we should
30 be looking at other sites. Some other areas at which



1 we should look were suggested to us and it was this
2 kind of input from the township that made us feel, I think,
3 somewhat encouraged that we could proceed with our
4 decision to establish a sanitary landfill site in
5 the township. It wasn't until the township council
6 had its meeting that we had any real indication
7 that perhaps it wasn't satisfactory to them, although
8 I knew they hadn't dealt with it in any formal way
9 within their council. I think that we could quite
10 honestly say we had felt some sort of encouragement.

11 The other thing I would like to say
12 is this: in planning a 20 year landfill site we
13 are not intending to continue with the kind of waste
14 disposal that we have always used. The city is look-
15 ing into different ways of disposing of waste. My
16 own personal feeling is all of us, and I include
17 everyone in this room, are ^{too} wasteful and I think one
18 of our objectives in the city which we are going to
19 try to attain over the next few years is to have
20 the citizens within the city try to reduce their
21 waste because recycling and reclamation and in-
22 cineration are not the final answers. They are only
23 part of the answer.

24 A number of actions have been taken
25 by council to try to work our way into recycling
26 and reclamation processes all of which are very
27 expensive and all of which require the assistance
28 of other levels of government. To investigate the
29 separation of paper in the ^{area,} downtown/it would be
30 fine if it is useful and successful. We will



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1 endeavour to expand this to the rest of the city.
2 We have worked successfully with a citizen action
3 group called Pollution Probe in assisting them in the
4 recycling of glass. We are continuing to expand
5 our relationship with them in doing this.

6 We have asked the Provincial Govern-
7 ment if we might be the city which has the opportunity
8 of becoming sort of a pilot city in a project which
9 they are putting forward in terms of recycling and
10 reclamation. We responded to the announcement of
11 Mr. Auld immediately when it was announced. We also
12 responded immediately to the new program when it
13 was suggested if the region worked together on assess-
14 ment of their solid waste, subsidies would be made
15 available for looking after that solid waste, in
16 terms that the people have been talking about here,
17 recycling and reclamation.

18 Those are my remarks, Mr. Chairman.
19 I felt perhaps the credibility of the city was a
20 question and I felt rather upset about that because
21 I have worked very closely with Mr. Laidlaw on a
22 number of issues and have found him to be most co-
23 operative.

24 MR. PLAXTON: Thank you.

25 THE CHAIRMAN: No questions?

26 MR. WRIGHT: I don't know whether
27 I should be permitted questions of the Mayor.

28 THE CHAIRMAN: Go ahead.

29 EXAMINATION BY MR. WRIGHT:

30 Q. I just want to make it clear there



1 was a misunderstanding as to what had occurred
2 prior to the April resolution of the township.

3 A. We considered that encouragement.
4 I think in discussing it informally with the township
5 no one said, "No, don't put it in our township!"
6 There were suggestions made to us and we followed
7 their suggestions and looked into them. I just feel
8 in all sincerity that that was encouragement and not
9 discouragement.

10 Q. I could do the same thing to
11 you as your counsel did to Reeve Laidlaw, but to
12 no purpose because you are going to make the same
13 denials Reeve Laidlaw did. The only thing we can
14 agree about was there was a fairly gross mis-
15 understanding.

16 A. I don't know if I would agree
17 with that at all.

18 MR. PLAXTON: I think Mr. Wright is
19 referring to denials and suggesting there will be
20 a denial before the question is asked, I think that
21 is an abuse of his privilege to act as counsel.

22 MR. WRIGHT: Well, Mr. Plaxton asked
23 a number of questions of Reeve Laidlaw, all of
24 which were not ---

25 Q. You were here for that part of
26 it?

27 A. Yes, I was.

28 Q. There was one of two things
29 going on: either there is a gross misunderstanding
30 or you are telling us that Reeve Laidlaw was not



1 telling the truth when he was sitting where you are.

2 A. What I'm saying, sir, is this:

3 we met with the township council on February 26th

4 and looked at this particular map which

5 showed me. It was said wouldn't we consider squaring

6 off the property instead of having an L-shaped pro-

7 perty and we said we would consider that. I didn't

8 think that was discouragement. We were told that

9 perhaps it would be better not to go further to the

10 west. We were told there was a main watercourse

11 situated in that part of the property and that per-

12 haps the value of the farmland in this area we had

13 selected was of less value than the value of the

14 land to the west and that is why they would prefer to

15 stay there. I didn't think that was discouragement.

16 Q. You heard Reeve Laidlaw deny

17 some of those things? Not all of them were put to

18 him. But you heard him deny some of them?

19 A. That is fine, sir, but I say

20 forthrightly in this case, none of us are under

21 oath and I think we have to make our own judgments

22 in these matters.

23 Q. I'm not trying to say either

24 one of you are not telling the truth. I'm only

25 trying to establish there is a gross misunderstanding

26 as to what was encouragement and what wasn't en-

27 couragement.

28 A. That may be.

29 MR. PLAXTON: Can you give further

30 examples of the kind of encouragement that was offered?



1 MR. WRIGHT: I'm talking about under-
2 standing prior to April.

3 MR. PLAXTON: Whether there was a
4 real clear misunderstanding or indeed there was
5 encouragement. Have you example, Your Worship?

6 THE WITNESS: We discussed the
7 residents of the area and moving the residents out
8 of their homes. That was a concern to us and to
9 Westminster Township. There is no doubt in our
10 minds about that. The township council questioned
11 us as to whether we could remove -- we should really
12 remove the residents ^{from} their homes or whether we
13 could not maintain small parcels where they were
14 living and allow them to stay there, and as I know
15 a number of people have lived all their lives there
16 and it is very disrupting to a family when they
17 have to move when they have spent their life on
18 certain lands. The city was agreeable to this kind
19 of approach and this is what we were doing, I think,
20 really sounding out township council as to the pro-
21 blems which they foresaw so that when we discussed
22 it in council we would be able to make the right
23 kinds of decisions.

24 MR. WRIGHT: Q. After having learned
25 of the decision of council you promptly proceeded
26 to cut them off from any further information?

27 A. That is the expression you
28 use, sir, but I believe we wrote them a letter ---

29 Q. You saw the letter delivered
30 by your mailboy?



1 A. I don't think those remarks
2 are necessary, Mr. Chairman. I think he is suggest-
3 ing that I am not telling the truth, saying that I
4 sent the letter.

5 Q. I'm not accusing you of not
6 telling the truth.

7 A. We discussed it with the
8 Township of Westminster Council further after that
9 and it was our considered political decision when
10 we started to approach the township they would simply
11 consider it to be bullying and we felt that since they
12 had now rejected our proposal, that we had to work
13 on our own.

14 Q. You told us at some length
15 about all these recycling programs, reclamation
16 programs, incineration, but you said that nobody
17 is doing anything. We need all these other people
18 to do all these things before we can move. You are
19 aware that Hamilton has done something without going
20 crying to the Federal or Provincial Government as
21 you suggest?

22 A. Have you read the assessment
23 of what they are doing? It is not satisfactory in
24 my terms.

25 Q. All we citizens can afford to
26 do is newspapers and reading newspapers is not a
27 viable alternative ---

28 A. I just don't think that is a
29 fair kind of question. It is a technical hearing
30 and I think you have to have a technical assessment



1 of that kind of situation. We have been to see
2 the operation in Hamilton to see if it was a satis-
3 factory one. They have now spent over \$8 million
4 I believe on that plant and they are continually
5 going back to council for money because they have
6 not solved all the problems. They are trying very
7 hard.

8 Q. Our information is that the
9 cost of disposal per ton is only \$1.50 per ton more
10 than what is being projected for this. Your en-
11 gineers are telling us it would be \$6 ---

12 A. Hamilton is twice the size of
13 the City of London and I think this should be some-
14 thing that is done on a fact basis and not simply on
15 what one reads in the newspaper or one's feelings
16 about the matter.

17 MR. WRIGHT: I quite agree, Mr.
18 Chairman. I couldn't agree more.

19 MR. PLAXTON: The reference to the
20 cost of the Hamilton system was admittedly from
21 a newspaper report. We questioned that when it
22 came up earlier in this hearing and the question
23 was whether it included any part of haulage costs
24 or not in the \$6 that the City of London, as I re-
25 viewed at that time, the sum of approximately \$3.75
26 for the haulage of waste from the last point of
27 pickup to the landfill site. We have never had an
28 answer as to whether the figures my friend is quoting
29 include or exclude that haulage cost which must be
30 cost of the Hamilton project as well. Without
that proof we simply can't speculate as to what the



1 figure means.

2 MR. WRIGHT: Mr. Chairman, could I
3 then ask the Mayor if she would be prepared to
4 spearhead a drive to get a full study done on in-
5 cineration prior to implementation of this project?

6 THE WITNESS: I don't know why the
7 questioner chooses incineration, sir. I'm not
8 sure it would be the best process and I would not
9 be inclined to say yes to that. I think perhaps
10 there are better ways of answering solid waste
11 disposal problems, so I cannot answer yes to that.
12 I would suggest ^{speaking} the question in this way: I
13 have already gone to Environmental Protective
14 Services twice and the first time I was not success-
15 ful and the second time I was, to ask them to re-
16 commend to council that we take advantage immediately
17 of the province's new program to assess the waste
18 problem in the region because it is a regional pro-
19 blem so that we could have subsidies made available
20 to us. That is not just the city, it is the region
21 as a whole for waste disposal, reclamation and
22 recycling. As soon as I heard of the program I
23 immediately approached the Environmental Protective
24 Services Committee. If you want to call that spear-
25 heading, then it is spearheading.

26 MR. WRIGHT: Q. Nevertheless you
27 intend to proceed with this site, nevertheless the
28 results of the report?

29 A. We have no indication how long
30 such a report would be but I think it's pretty obvious



1 to anybody involved in garbage disposal, as politicians
2 all are, that no matter what system is used, sanitary
3 landfill sites will always be needed and there has
4 never been any indication from anyone that sanitary
5 landfill sites will not be needed by either city
6 or the township or the county or anybody else. The
7 need for it is there. What goes into it will differ
8 as our technology changes and we learn to cope with
9 the kind of waste which people produce.

10 Q. If we can reduce the amount of
11 volume going into the landfill site by 85%, perhaps
12 you would agree with me that these 400 acres of
13 farmland would not be necessary? That has been
14 found elsewhere. Perhaps this land could be found
15 within the boundaries of the City of London?

16 A. I don't know whether I could
17 agree with you. Nobody ever told me when I was
18 talking with the township that there were three grades
19 of agricultural land. This is something I heard about
20 since. I always thought that was one thing we would
21 have been told, and I understand you can get such
22 a map from the Department of Agriculture. I would
23 have thought the township would have laid out for us
24 a map of their area saying, "These are the grades
25 of agricultural land within the township. We would
26 prefer if you would look at the lowest grade if you
27 are going to proceed." That would have been my
28 response to your question.

29 Q. It may be they assumed you
30 had done all these things. There was an awful volume



1 of material made available on this particular site.

2 A. This perhaps has been done by
3 our own technical people, but I would have thought
4 this would be a natural approach of people who farm
5 land. City people like myself have not worked that
6 much on farms and don't have that expertise as a
7 politician.

8 Q. Your technical people were
9 called at the hearing to demonstrate that. Perhaps
10 you were aware of it at the time and perhaps you were
11 not aware of it at the time. I don't know. We have
12 no time sequence as to when that information became
13 available to you, but in any event your experts did
14 approve of the quality of the land in the area. I
15 don't think I have any further questions of the
16 Mayor.

17 Thank you very much.

18 THE CHAIRMAN: Has anyone else any
19 questions?

20 MR. MORLEY GOUGH: I want to ask why
21 the Mayor has kept quiet for so long before coming
22 here?

23 THE WITNESS: Before I think any
24 government does any property acquisition or a
25 proposal which requires property acquisition that
26 until they have negotiated for that property, it
27 not usually made public. That would be the reason.

28 MR. GOUGH: We are all quite involved
29 out there and I felt that we should have been one
30 of the first to know.



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1 THE WITNESS: That perhaps might
2 have been the responsibility of the township council.

3 MR. BILL FACEY: I have a question
4 of the Mayor.

5 Do you think it is fair that you should
6 set an expropriation before your negotiator even
7 comes around? On the TV news at 6:30 I get the word
8 the city is going to negotiate and it is possible
9 they are going to expropriate a half an hour before
10 a negotiator gets to my place.

11 THE WITNESS: I don't know if it is
12 fairness or unfairness as far as the city is con-
13 cerned. Expropriation costs us much more money
14 than negotiating but it does give us certain rights
15 when we do expropriate. It is not really -- it is
16 a disadvantage to the city financially certainly to
17 expropriate and we have found that in many cases.

18 MR. FACEY: I do not think it is fair.

19 THE WITNESS: We don't think of
20 expropriation in those terms anymore because it is
21 so costly for the city to do it and the rights of
22 the land owner are very much protected under the
23 new Expropriation Act. You actually have far more
24 protection under expropriation than negotiation.

25 MR. HOMER HART: I object to state-
26 ments of the Mayor that they were encouraged by
27 the township with reference to this landfill site.
28 I only attended one meeting on February 20th, I
29 believe, and I remember distinctly at that time
30 myself telling Mr. Rowntree that he didn't even know



1 how to plow the roads correctly.

2 --- (Applause)

3 THE CHAIRMAN: Are there any other
4 questions of the Mayor?

5 MR. PLAXTON: Thank you, Your Worship.

6 THE CHAIRMAN: Thank you for taking
7 time from your busy duties.

8 We will adjourn until 2:00 o'clock.

9 --- Luncheon adjournment

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

2 MR. WRIGHT: Mr. Chairman, the next
3 witness I would like to call is Mr. Morley Gough.

4 MORLEY GOUGH, called:

5 EXAMINATION BY MR. WRIGHT:

6 Q. You wrote to the Federal
7 Minister of Agriculture and you received back from
8 him the letter which you hold in your hand. Is
9 that right?

10 A. Yes, sir, it is.

11 Q. Would you please read the letter?

12 A. I will. It was mailed from
13 Room 205, Confederation Building, Ottawa, on July
14 24th, 1973:

15 "Dear Mr. Gough:

16 Thank you for your letter of July 8th
17 with regard to the proposed sanitary
18 fill site that the City of London is
19 planning for Westminster Township.

20 I most certainly agree with you that
21 500 acres (2 dairy farms) should not be
22 given up for a dump. In this regard I
23 have been in touch with officials at
24 City Hall in London advising them of my
25 feelings. I hope that my represent-
26 ations will be of some use.

27 It would be appreciated if you would
28 be good enough to advise me of the out-
29 come of the meeting on July 30th in
30 Lambeth. Looking forward to hearing



1 from you, I remain,

2 Sincerely yours,

3 (signed)
4 Eugene F. Whelan,
5 Minister of Agriculture."

6 Q. Thank you, Mr. Gough. Would
7 you give the original to the Secretary, please?

8 Perhaps my friend will have some
9 questions to ask you in connection with that.

10 MR. PLAXTON: I have no questions
11 on that, sir.

12 MR. WRIGHT: Mr. Chairman ---

13 MR. MOODIE: What were the names of
14 those two dairy farms just for my information? Who
15 are the owners recorded in this correspondence?

16 THE WITNESS: Harold Dalton and
17 Stanley Johnson.

18 MR. MOODIE: They own the sites?

19 THE WITNESS: Yes.

20 THE CHAIRMAN: Can you show us on the
21 map where these two farms are?

22 THE WITNESS: Actually, Mr. Chairman,
23 there is a third one and if this one goes through
24 he will lose his barn. This is the Dalton ranch
25 here (indicating) and Stanley Johnson's here. The
26 third one is Mrs. Joe Johnson (indicating).

27 THE CHAIRMAN: Thank you.

28 MR. WRIGHT: I have a letter which
29 is from Mrs. Earl Houghton which I will ask to be
30 put in. I would ask the Secretary to read it.

MR. PLAXTON: Can we be informed where



1 Mrs. Houghton's farm is?

2 THE CHAIRMAN: This is 500 acres? I
3 think we are talking about 405 acres?

4 MR. PLAXTON: Yes, Mr. Chairman.

5 Mr. Chairman, I would like to explore
6 that because our information is that these farms do
7 not abut beyond the limits of the site. The Stanley
8 Johnson property, what is the northerly boundary?

9 THE WITNESS: The 6th Concession, sir,
10 here (indicating).

11 MR. PLAXTON: And the house is at
12 the north 1,000 foot strip within that area?

13 THE WITNESS: His house is down here,
14 sir, here (indicating).

15 MR. PLAXTON: Isn't that a house on
16 the northerly section of the farm?

17 THE WITNESS: No.

18 MR. PLAXTON: You mentioned a Mr.
19 Harold Johnson, I believe?

20 THE WITNESS: Harold Dalton.

21 MR. PLAXTON: Dalton. Do you agree
22 with me that that parcel of land does not run off
23 the site?

24 THE WITNESS: It is on the boundary
25 here (indicating).

26 MR. PLAXTON: It is entirely in and
27 no part is without it there?

28 THE WITNESS: It is within the buffer
29 zone.

30 MR. PLAXTON: It is within the 405 acres



1 outlined in red? The third property?

2 THE WITNESS: It is Mrs. Joe Johnson's
3 and it is run by her son Reg. It goes beyond the
4 property there (indicating).

5 MR. PLAXTON: Thank you.

6 THE CHAIRMAN: Thank you.

7 Is there anyone else who wishes to ask
8 questions of Mr. Gough? Thank you.

9 The Secretary has been handed a letter
10 from Mrs. Houghton.

11 MR. WRIGHT: I believe Mrs. Houghton
12 is here but she would prefer not to read the letter.

13 THE CHAIRMAN: Do you want to read
14 it for her?

15 MR. WRIGHT: I can read it for her,
16 but it is a question of being a little nervous.

17 THE CHAIRMAN: If she is here, Mrs.
18 Houghton, will you identify yourself? Don't be
19 afraid to read the letter.

20 MR. WRIGHT: Your power of persuasion
21 is much greater than mine.

22 MRS. EARL HOUGHTON, called:

23 THE WITNESS: I would like to comment
24 briefly on my feelings regarding some possible
25 effects on our environment which could be created
26 by the proposed landfill site.

27 I have an allergy problem which affects
28 the sinus passages. On the day we visited the Clarke
29 Road site and Commissioner's Road site, this condition
30 was greatly aggravated.



1 We were at the Clarke Road site
2 approximately two hours and upon leaving, I could
3 feel the pressure beginning in the sinus area.
4 After having lunch and arriving at the Commissioner's
5 Road site the resulting headache had commenced.
6 Part way through our stay in this area the reaction
7 was so bad that I had to stop walking for some minutes
8 and keep my eyes closed to relieve the painful tearing
9 which occurs when this condition is at its worst.

10 What concerns me is that inasmuch as
11 the proposed landfill site is located west of us
12 and the prevailing winds are from the west, this
13 could cause a problem for many years to come.

14 I realize that we are some distance
15 from the proposed site. However, especially in damp
16 humid weather -- when this allergy condition is most
17 severe -- the odours and gases will be hanging in
18 the air in a much heavier concentration.

19 Also our oldest son has an asthma
20 condition created by allergies. The most severe
21 being alternaria and hormedendrum, which cause his
22 worst problems in damp humid weather. He has
23 suffered this condition all his life. He is 12
24 now and is under the best medical program possible,
25 but it still concerns us greatly that this proposed
26 landfill site could introduce into our environment
27 elements which could add to his problems.

28 Our other concern for him is the fumes
29 from the traffic which would occur should a traffic
30 light be installed at this intersection. In the hot



1 humid weather when he has the most difficulties
2 breathing, we just do not take him into the city.
3 Now the city proposes to bring this problem to
4 our front door.

5 Out 10 year old daughter is beginning
6 to have allergy problems and, since anyone can be-
7 come allergic to anything at any time, who knows how
8 much of an additional problem this could add to our
9 environment.

10 Besides this, our environment will
11 be drastically altered by the additional noise
12 created by the stopping and starting of thousands of
13 cars, motorcycles, buses and huge trucks day and
14 night.

15 The whole situation which would be
16 created by this proposed landfill site is simply
17 beyond the comprehension of this one very concerned
18 family.

19 THE CHAIRMAN: Thank you.

20 EXAMINATION BY MR. WRIGHT:

21 Q. Mrs. Houghton, you live at that
22 corner right there?

23 A. Yes.

24 THE CHAIRMAN: That is the corner
25 of No. 7 Concession Road and Wellington Road?

26 MR. WRIGHT: Yes.

27 MR. PLAXTON: Would that be the
28 northwest corner?

29 THE WITNESS: Yes.

30 THE CHAIRMAN: Any questions?



1 MR. PLAXTON: No, Mr. Chairman.

2 MR. WRIGHT: Mr. Chairman, I would
3 now propose that we deal with the pictures which
4 were taken by Mrs. Sifton. As I indicated before,
5 it is my understanding that my friend is prepared
6 to admit the pictures subject to his right to be
7 able to raise questions in respect of them. I have
8 for the Board an album of pictures which have been
9 numbered 1 to 68. There are 68 pictures.

10 GEORGE R. ROBERTSON, recalled:

11 MR. PLAXTON: In the interest of
12 shortening time I felt we could admit these pictures
13 without any formal proof thereof, this not being in
14 the nature of a court hearing with sworn witnesses
15 and so on. The other factor, Mr. Chairman, I have
16 asked Mr. Robertson to consult with Mrs. Sifton to
17 inform Mr. Robertson of the location of each of the
18 pictures taken where he couldn't identify the location
19 already. This has been done.

20 Then I believe Mr. Robertson has
21 categorized the pictures by number relating to
22 various sites and he has comments on the pictures
23 and the numbers he is referring to of the pictures,
24 of course, are those numbers referred to in the album
25 before you now. He has a copy of that album and I'm
26 asking him now if he would mind commenting on the
27 pictures in his own way.

28 THE WITNESS: Of the 68 pictures,
29 21 are of the Clarke Side Road site itself. The
30 remaining 47 are the Commissioner's Road site and the---



1 THE CHAIRMAN: I wonder if you would
2 give me the numbers in order?

3 THE WITNESS: In the album there are
4 68 pictures. Of those 68 slides, 21 are of the
5 garbage site at Clarke Side Road. The remaining
6 47 are pictures of the Commissioner's Road site.

7 THE CHAIRMAN: Thirty-seven?

8 THE WITNESS: The remaining 47 are
9 pictures of the old Commissioner's Road site and
10 the site that we operate adjacent to the Clarke
11 Road site.

12 MR. PLAXTON: Mr. Chairman, just to
13 review that so we understand this, 21 of the pictures
14 relate to the southeast site. The remaining 47
15 relate to the Commissioner's Road site.

16 EXAMINATION BY MR. PLAXTON:

17 Q. Is that correct?

18 A. The Commissioner's Road site
19 and the rubble site we operate down the Clarke Road
20 out towards the limits of the garbage disposal site
21 itself. The rubble site is building rubble in there
22 and the Minister of the Environment doesn't require
23 leachate drains in such a site.

24 MR. WRIGHT: Just to clarify, there
25 are some pictures in there of the site being used.

26 THE WITNESS: The site being used?

27 MR. WRIGHT: The proposed site.

28 THE WITNESS: I think there are two
29 showing the site.

30 THE CHAIRMAN: Is that number 2 or



1 number 1 or what?

2 THE WITNESS: That is number 1 and
3 number 2, Mr. Chairman.

4 The pictures jump around a bit. I have
5 them grouped here as to pictures that deal with the
6 Commissioner's Road site. If you wish, I can -- in
7 other words, some of the pictures deal with the same
8 thing. There is more than one shot taken at one
9 time in one location. I went through the book and
10 you can see the same thing in two or three different
11 pages.

12 Picture number 3 is a general picture
13 of the entrance or the road, a temporary road we
14 had from River Road itself into the back of the Clarke
15 Road site. This picture is about 1,600 feet or
16 thereabouts from the east limits of the Clarke Road
17 site.

18 Picture number 11 is a picture of
19 the -- the legend of the picture says it is a
20 picture of piles of sewage. In fact it is sand
21 and silt from our catch basin cleaner. Although
22 it is hidden, the catch basin cleaner is there, a
23 piece of equipment which goes into storm sewers in
24 the city in the normal manner.

25 Picture number 12 is the east end
26 of the rubble site.

27 Picture number 14 is another picture
28 of the rubble site itself.

29 Picture number 33 is another view
30 from the River Road.



1 Pictures number 41, 42, 44 ---
2 MR. PLAXTON: Q. You are going a
3 little fast.
4 A. Sorry.
5 Q. Just take us back through the
6 last numbers again one at a time so the reporter
7 can take it down.
8 A. Thirty-three is a general
9 view of the area from the River Road.
10 Q. That is the southeast site?
11 A. That is the general area of
12 the southeast site.
13 Pictures 41, 42 and 44 are general
14 views of the rubble site itself.
15 Q. That is 41, 42 and 44?
16 A. Yes. Forty-five is a picture
17 of one of the catch basin cleaners discharging on
18 the rubble site.
19 Q. That rubble site is located?
20 A. I can show you on the map.
21 Q. Okay.
22 A. This picture here (indicating)
23 shows the southeast site, the total area of the site
24 itself. The garbage site is located within those
25 boundaries there and around the garbage site we
26 have the leachate drain. This area down here is
27 the rubble site where building material, brush and
28 so forth is dumped and also the catch basin cleaners.
29 That was picture 45 of the catch
30 basin cleaner at the site.



1 Picture number 46 is of the sand
2 and silt coming out of the catch basin cleaner.

3 Pictures number 47 and 48, once again
4 are general views of the rubble site.

5 Moving into the garbage site itself,
6 pictures, the southeast site, pictures 4 and 5 are
7 pictures of the outlet culvert from the site. One
8 is taken downstream from the site and the other is
9 at the inlet to the culvert.

10 Pictures 17, 36, 37 and 38 are pictures
11 of the outer culvert. That is 17, 36, 37 and 38.
12 Once again, these are pictures taken at the outlet
13 to the culvert.

14 Pictures 6, 8 ---

15 THE CHAIRMAN: Number 36 is the outlet?
16 What do you mean by the moat? What do you mean
17 M-O-A-T? What do you mean by that?

18 THE WITNESS: A moat is a ditch,
19 M-O-A-T.

20 Picture number 36 is on the downstream
21 side of the outlet culvert. That is the effluent
22 problem site itself from the end of the culvert to
23 the Thames.

24 Pictures 6, 8, 9 and 10 are taken
25 at the southeast corner of the garbage site and in
26 this location we have the drainage ditch this year.
27 We dumped through some of this grey silty material
28 and we asked a construction company what it was and
29 they said it was sludge that had been dumped there
30 about 10 years ago by Canadian Liquid Air. We period-



1 ically haul this out and this material by Canadian
2 Liquid Air was put there 10 years ago. There is
3 roughly 1,000 feet east of where we are dumping
4 garbage. There is no garbage at all within 1,000
5 feet of that in those pictures. However, it is now
6 within the system. There is some of that stuff
7 there, at least there was the last time I was there.

8 Picture number 7 once again is a
9 picture of a culvert in the general area of this
10 same material from Canadian Liquid Air, roughly
11 1,000 feet from the dumping area. There is no
12 garbage near there. The white stuff and so forth
13 in the pictures is clay and silt and so on.

14 Picture number 15 is a picture of
15 the ditch, the south ditch roughly between Clarke
16 Road and the working access road into the dumping
17 area of that site. This particular picture, as you
18 can see, there is a culvert there and this is where
19 the fill site comes around the original dump area---
20 that Riverside left on the side road.

21 Picture number 16 is of the north
22 ditch. I think the comment there is there is no
23 berm. On the site there was not a berm required there, ^{but only}
24 along ^{the} Clarke Road or west side of the site.

25 Pictures 18 and 40 are pictures of
26 the north ditch.

27 Picture number 19 is also a picture
28 of the north ditch, adjacent to Phillips Street.
29 Phillips Street is ^a sloping ^{spot} for residents in
30 the area to dump their garbage and what is shown in



1 that picture is garbage that has been dumped around
2 there and we just have to come and pick it up. That
3 is not a fill site.

4 Picture number 39 is the south ditch
5 showing garbage and paper and that.

6 Picture number 13 is a view of a
7 packer dumping a load at the working face.

8 Picture number 34 and picture number
9 35 are pictures of the working area. On those slides
10 there is exposed garbage and paper and that is one
11 of the problems we have at the site. We put six
12 or nine inches of gravel cover material on the
13 garbage and you get heavy rain and it washes away
14 into the garbage and exposes some of the paper. If
15 we put on too much material, the trucks can't travel
16 over it. What we do now is put 12 inches on those
17 areas and just moving it in to dump garbage to
18 (inaudible) drain off the
19 excess material so the trucks can travel.

20 Picture 43 is uncovered garbage,
21 that is true. It is a place to dump garbage and
22 we cover it at the end of the day.

23 On the Commissioner's Road site,
24 pictures number 20, 21 ---

25 Q. If you could stop there, just
26 to clarify, everything you have talked about up to
27 this point has been the southeast site with the
28 exception of the first two pictures where you re-
29 ferred to those as being pictures of the Westminster
30 Township proposed site, W-12A?



1 A. Yes.

2 Q. Thank you. That was just for
3 the record. Now we are talking about a different
4 site at this point?

5 A. We are now talking about the
6 Commissioner's Road site which was closed in 1971.

7 Pictures number 20 and 21 were pictures
8 of cars dumping. PUC are working in there right now
9 and have been for a few weeks I think on the land-
10 scaping. There is a gate. There is a chain across
11 to prevent traffic getting into this site. The
12 PUC is in there landscaping and the chain is removed
13 for their trucks to get in. During the operation at
14 the site there was a watchman on duty in the shack.
15 Now that is gone.

16 Pictures number 22, 49 and 50, once
17 again, were taken in the region of the access road.

18 Q. How old is this site on
19 Commissioner's Road?

20 A. I believe that site was in
21 operation from 1965. This phase of it -- there was
22 a first phase which was on the other side between the
23 L.&P.S. track and Commissioner's Road.

24 Q. Was this an engineered site
25 with leachate drains?

26 A. No.

27 Pictures number 51, 54 and 55 are
28 pictures of the ditch adjacent to the entrance to
29 the site. I would say that this is a problem spot
30 and has been for many years, even before the first



1 site was there. There is very poor drainage in
2 that area and water lies on the site, on the side
3 of the L.&P.S. track. The homes in that area, the
4 sewers in the area, the holes wash the area and I
5 think there is some problem with the septic tanks
6 I think.

7 Picture number 32 is the entrance
8 road culvert, the entrance road that runs into the
9 site. That entrance road still exists because the
10 landscaping isn't yet completed. There is a culvert
11 under that entrance road.

12 Picture number 52 is a picture pretty
13 well in the same area, but following along the
14 site itself.

15 Picture 53 is a picture of the culvert /

16 the drainage ditch under Commissioner's Road. The
17 site itself, I will just explain what is called the
18 west hill and the east hill just to indicate on
19 the aerial photograph.

20 Q. I wonder if that picture could
21 be brought a little closer to the Board so they can
22 see? This is the Commissioner's Road site ---

23 A. This is the Commissioner's Road
24 landfill site started around 1965. This is the old
25 between the L.&P.S. tracks and Commissioner's Road.
26 What we are referring to is the east hill and the
27 west hill. This from the east hill and this from
28 the west hill (indicating).

29 Q. So that the area which appears
30 to be uncultivated at the moment and open soil is the



1 west hill on that picture?

2 A. Yes.

3 Q. And the other area lying ad-
4 jacent to it to the left the picture is called the
5 east hill?

6 A. That is right. The west hill,
7 first of all, in that area there during the winter
8 and spring we permitted construction trucks to haul
9 in clean material, clean cover material from
10 construction jobs within the city. They brought
11 material in and dropped it and from time to time the
12 access road into the site, a machine would be
13 there to smooth off, but apart from that, that was
14 always done. In May of this year we sent a bull-
15 dozer in there to start levelling it and unfortunately
16 the material was too wide at that time to pull out.
17 We moved back into the area in June and started
18 cover material over the west hill. There is roughly
19 between four and five feet of cover material on that
20 area now. What you see, the darker area you see up
21 here is under work by the PUC now. The PUC have
22 started in there and started putting in top soil
23 and will completely cover that area with top soil
24 this year and seed it. That area, quite frankly,
25 is a pretty soggy mess, but the PUC are moving in
26 there and it will be shaped up.

27 On the east hill, pictures 56, 63
28 and 64 refer to a section of the east hill down at
29 the bottom of the slope along here. This gully
30 between the west hill and the east hill -- those



1 photographs are taken along this area in here at
2 the end of the previously seeded area and actually
3 you have an area where the cover material has not
4 yet been completed not the landscaping.

5 Of the other part of the east hill
6 where the seeding has been completed, pictures 27,
7 65, 67 and 68 show that particular area. They, of
8 course, do show the road.

9 Q. So, would you please give the
10 numbers one at a time for those?

11 A. Twenty-seven, 65, 67 and 68.

12 THE CHAIRMAN: I know 65 is where no
13 grass will grow on the hill. It is soft and fluid.

14 THE WITNESS: There are trucks go up
15 it. I guess it is the same as any other hill. You
16 have about 70 feet of material in there. Originally it
17 was a depression rather than a hill. There is 70
18 feet of material in there. You do get erosion and
19 the first drop of grass you plant ---

20 MR. PLAXTON: Q. I'm not sure you
21 understood the question. I think the question was
22 one of the pictures you are looking at ---

23 A. Sixty-five.

24 Q. ---refers to the fact just on
25 the note next to it grass will not grow. Is that
26 the question you are answering?

27 A. Yes.

28 THE CHAIRMAN: The ground is soft
29 and fluid and grass will not grow.

30 THE WITNESS: That is not so. I have



1 driven up there in a car, trucks drive up there.
2 Trucks were in there last week to fill in a depression
3 at one of the erosion points, one of them being shown
4 on picture number 68. Our trucks go in there. They
5 can go in there. They have to go quite slow from
6 the area up here, the swale from here down. This is
7 a fair slope down here (indicating). Last year they
8 dressed up the whole large swale and this year we
9 are getting ahead of the whole problem and there is
10 just so much to be done. What is shown there is
11 the erosion in that general area. I would say in
12 this Commissioner's Road fill site on this/hill we
13 don't have four feet of cover. The cover material
14 we have there is between 20 and 24 inches.

15 Picture number 66 is a picture taken
16 from the east hill through the trees, down into this
17 swampy area along the railroad tracks. This, of
18 course, has not been touched by land/^{fill.} The picture
19 is taken through here. This is to the east.

20 I think, Mr. Chairman, that is pretty
21 well all.

22 THE CHAIRMAN: Thank you. We will
23 keep that for future reference.

24 MR. WRIGHT: Yes, Mr. Chairman, that
25 is for the record.

26 I have no comments. Do you have any
27 comments to make?

28 MRS. SIFTON: Not really.

29 MR. WRIGHT: My next witness is Mr.
30 Jack Sifton.



1 JACK SIFTON, called:

2 EXAMINATION BY MR. WRIGHT:

3 Q. Mr. Sifton, you are co-Chairman
4 of the Westminster Anti-Landfill Site Committee?

5 A. I am.

6 Q. Would you point out on the
7 aerial photograph where you and your wife live,
8 please?

9 A. It is located here (indicating)
10 on the Wellington Road near the 6th Concession in
11 Westminster.

12 Q. On the west side of Wellington?

13 A. That is correct.

14 Q. Mr. Sifton, your committee has
15 been very busy the last couple of weeks. There was
16 a petition put around ---

17 A. I might take exception to the word
18 "a couple of weeks". It has been longer.

19 Q. Would you tell us how many
20 people signed that petition and would you also tell
21 us what the petition says?

22 A. I cannot give you an exact
23 count. We kept a rough count as we went along.
24 Approximately 1,2000 people signed the petition.

25 Q. And the petition says what?

26 A. The wording of the petition is
27 as follows: "Petition re sanitary landfill site
28 Westminster Township. I have signed
29 this document to express my disapproval
30 of the use of 500 acres of agricultural/



1 in Westminster Township by the City of
2 London as a Sanitary Landfill Site, and
3 further to request the governmental
4 authorities to take the steps necessary
5 to inaugurate an alternate and more
6 acceptable system of garbage disposal."

7 If I could make a comment at this stage, I would
8 indicate to you that most of my material has been
9 prepared previous to the hearing and is based upon
10 documents I had available to me in which case the
11 500 acres would apply.

12 Q. Thank you, Mr. Sifton.

13 Subsequent to that it became apparent
14 to your committee and it sought support from various
15 people in the area and you went around again. As I
16 understand it, this time seeking membership for your
17 committee and financial support as well. Is that
18 correct?

19 A. Yes. We probably know that a
20 petition is not a particularly binding document on
21 any person who signs it and that while a person who
22 is opposed to the location of the site in the town, if
23 it is unlikely to sign it, it is possible that some-
24 body else might without having thought it over
25 carefully enough, so we distributed a list which
26 people signed and at the same time they made a
27 contribution to the committee to support its acti-
28 vities. They were at that time made more aware of
29 what the activities of the committee would be.

30 Q. It is possible that some of the



1 names on the petition and some of the names on
2 this list of membership may be simultaneous or
3 redundant?

4 A. I think it is to be hoped that
5 they are.

6 Q. Could you read from the top
7 of the original which I have given you the state-
8 ment with respect to which these people signed this
9 document?

10 A. Yes. It says:

11 "Westminster Anti-Landfill Site Committee"

12 ^{and}
13 gives the names of the following people:

14 Mr. Jack Sifton, Mr. Morley Gough,

15 Mr. Earl Houghton, Mr. Bill Facey, Mr.

16 Lloyd Penfold.

17 Following the list of names it says:

18 "I support the above-named committee
19 in its aim of preventing London from
20 acquiring the site designated
21 W-12A for a sanitary landfill site in
22 Westminster Township."

23 Q. How many people are on this
24 list in support of this committee at this date and
25 how many were there when this hearing started? The
26 reason I make that distinction is because the copies
27 we had made only reflected those who had joined.

28 A. I don't know that I can accurately
29 name or state a specific number. I can state that
30 over 200 names were available at the beginning of the
hearing and I believe now that is over 300.



1 Q. Those are all financial
2 contributors in some degree or another?

3 A. That is correct.

4 Q. Now, Mr. Sifton, the committee
5 prepared a brief. I'm going to ask you to read that
6 brief.

7 Mr. Sifton, before we get into this
8 brief, there are certain qualifications which should
9 be made with respect to some of the figures to which
10 reference is made in that brief. I also understand
11 that you would, through the course of giving this
12 brief, like to make certain comments as you go
13 through. Why don't you make your qualifications and
14 then start going through your brief as you wish?

15 A. I think the comment I would
16 like to make in connection with the brief initially
17 is, as I said before, that this document was pre-
18 pared prior to the commencement of the hearing and
19 the information that I was basing this brief upon
20 has been changed to some extent during the course
21 of the hearing, at least to my knowledge it has.

22 This brief is for presentation to
23 the Environmental Hearing Board and it states:

24 "This document has been prepared by the
25 Westminster Anti-Landfill Site Committee
26 to detail the opposition to the form-
27 ation of the site, W-12A, by the City
28 of London according to the feelings
29 expressed to this committee by the
30 residents of the Township who support



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1 the committee.
2 WESTMINSTER ANTILANDFILL SITE COMMITTEE
3 W. G. Facey)
4 J. W. Sifton) co-chairmen
5 M. Gough)
6 E. Houghton) committee members
7 L. Penfold)
8 Mrs. W.G. Facey)
9 Mrs. J.W. Sifton) secretaries."

10 The other committee members involved aside from
11 myself have read this brief and have been involved
12 in its preparation and the copy, I believe, that the
13 Chairman has received is signed by all the members
14 of that committee.

15 The brief reads as follows with some
16 comments that I might wish to make in connection with
17 some of the statements, partly in response to inform-
18 ation that has been gained during the course of the
19 hearing.

20 The question of Sanitary Landfill
21 operations has aroused tremendous public interest
22 in recent months. The citizens of this area first
23 became vitally concerned with the topic when they
24 became aware of the City of London's plans to ask
25 Westminster Township Council for the appropriate changes
26 in by-laws so that the city would have Westminster
27 Township's permission to establish the landfill site
28 designated W-12A.

29 When news of this request was obtained
30 by the area residents, a large delegation turned up at



1 the township council meeting at which the issue
2 was to be decided. In a vote which many residents
3 felt was a direct result of the obvious opposition
4 they had expressed, the Westminster Township Council
5 rejected the City of London's proposal unanimously.

6 Following statements by city re-
7 presentatives that they planned to take their appli-
8 cation to higher authorities, a number of meetings
9 of local citizens were held, ultimately resulting
10 in the election of the present committee to represent
11 the citizens' interests and those of any others who
12 expressed their concern.

13 Until the meeting which resulted in
14 unanimous rejection of the proposal by the Westminster
15 Council, very little publicity had attended the pro-
16 ceedings. In order to make the public aware of the
17 proposal a petition was circulated in the area, of
18 which we have distributed copies. Lack of time has
19 been a factor in all aspects of the committee's
20 preparations. While the city had more than three
21 years to prepare its reports, the committee has had
22 less than three months. In spite of this, the committee
23 has in excess of 1,200 signatures to express:

24 "...my disapproval of the use of 500
25 acres of agricultural land in West-
26 minster Township by the City of London
27 as a sanitary landfill site, and further
28 to request the governmental authorities
29 to take the steps necessary to in-
30 augurate an alternate and more acceptable



1 system of garbage disposal."

2 These signatures represent more than 90% of those
3 people who were approached.

4 This is in the way of my own additional
5 comments. There has been some discussion in connect-
6 ion with the misunderstanding between the Westminster
7 Township Council and the City of London Council and
8 I would like to point out at this stage that I attended
9 a meeting between the committee and the Westminster
10 Township Council and one of the first questions that
11 I put at this meeting which was, by the way, after
12 the election of the committee, but before these
13 meetings began, one of the first questions I put to
14 the council was that the wording of the motion which
15 was involved in the landfill site area could be in-
16 terpreted as indicating that the council was sitting
17 back waiting for more information and were still pre-
18 pared to consider a decision. I asked if that was the
19 case or, rather, if the council had rejected the
20 application and had no intention of doing anything
21 further about it. It was indicated to me by the
22 Reeve of the township at that time that the intent
23 of the motion was that the council had rejected the
24 proposal and did not intend to give any further
25 consideration to accepting it.

26 It should be noted that while the
27 citizens wish to prevent the City of London from
28 gaining approval for the site, they do not do this
29 with the sole purpose of moving the site elsewhere.
30 The material which follows will show what actions we



1 feel are most appropriate in connection with the
2 City of London's waste disposal problem.

3 The city has pursued the objective of
4 acquiring landfill site W-12A as a major part of an
5 engineering study to give London a TWENTY YEAR PLAN.
6 The City of London has therefore decided that it
7 has no alternative to landfill waste disposal during
8 the next 20 years. In spite of a detailed engineering
9 study involving many alternatives, a decision to opt
10 for landfill has been basically one of economics.
11 While it is admitted in the study that for the
12 prescribed 20 year period the forecasts on waste may
13 be greatly in error, they apparently admit no such
14 possibility in connection with waste disposal methods.

15 I would like to point out that that
16 statement has been borne out even more so in the course
17 of the hearing in terms of many additional figures
18 that have been placed before us in terms of the
19 quantity of waste material that London is currently
20 disposing of and plans to in the future.

21 The committee feels that the most
22 important error in their ultimate selection of land-
23 fill has been lack of recognition of the public
24 pressure to be exerted on all authorities to develop
25 alternate, more acceptable methods of waste disposal.
26 Experience in many fields has shown that the tech-
27 nology could be available in much less than 20 years.

28 Let us then admit that the city needs
29 time to prepare for an alternate method of garbage
30 disposal. According to the engineering studies, London



1 still has five years of landfill capacity remaining
2 at the present site.

3 Mr. Chairman, this statement appears
4 to be in error in light of the facts that have been
5 presented at the hearing and we would be prepared
6 to recognize the evidence that has been submitted
7 at this hearing insofar as we have any knowledge of
8 it.

9 Can we support the city moving to a
10 new site (20+year capacity) with years remaining
11 at the present site within its own municipality?
12 We cannot. We can instead presume that within the
13 time available the city could develop an alternative
14 system including the necessary facilities to employ
15 this system.

16 There has been indication that
17 such a possibility is very remote. Recently,
18 and by "recently" I mean within the last hour I
19 had a conversation with a person representing a
20 Winnipeg firm involved in waste disposal systems
21 that, not including any delays in signing a contract
22 involving the municipal affairs of the City of
23 London, that a plant which would involve treating
24 of this garbage on a large scale basis could be
25 available within a period of one year from the date
26 of signing of the contract.

27 It is to be further noted, and perhaps
28 just as significantly, that most other municipalities
29 have a similar problem. Those in the vicinity of
30 the City of London should also be involved in this



1 | proposal. A regional approach would not be unique
2 | to this proposal, since it is already considered
3 | that the landfill site W-12A will serve more than one
4 | municipality. This regional approach would, for some
5 | systems of waste disposal, improve the economic
6 | feasibility of the system based on a larger quantity
7 | of waste to be processed.

8 | What is this alternate, more accept-
9 | able system of garbage disposal? The committee be-
10 | lieves that it will involve recycling and incineration
11 | with the necessary controls to prevent air pollution.
12 | Such systems are not 20 year proposals. It is a fact
13 | that incineration can already be used on a large scale
14 | and that recycling of many materials already takes
15 | place. The question of a market for these materials
16 | is one which is also being answered (e.g. Superior
17 | Concrete Products of Lambeth request for all available
18 | recyclable glass products) and undoubtedly markets
19 | will only develop as the materials are made available,
20 | (no one has a desire to buy something which doesn't
21 | exist) and as economic and supply situations demand
22 | their use.

23 | In some situations it is suggested
24 | that incineration is not an economically viable
25 | alternative. According to the City of London's
26 | own reports, the extra cost to residents would amount
27 | to only one cent per day per citizen in the City
28 | of London. That cost again would need to be modified
29 | somewhat on the basis of increased volume of waste
30 | disposal. However, I have been recently talking to



1 some of the city officials and to some of the
2 people from MacLaren and a figure of \$24 per year
3 extra for a family of four has been mentioned in
4 connection with the extra cost.

5 At least one other city (Hamilton)
6 has chosen to develop its own system of waste dis-
7 posal by incineration (SWARU). They have also
8 costed their operation. A comparison of cost per ton
9 of waste will show that cost should not be sufficient
10 as a negative factor in overbalancing the positive
11 aspects of incineration.

12 On the following page is a table
13 indicating cost of ~~ne~~ ton of waste and again this
14 would need some modification in connection with the
15 information we have gained. I have indicated there
16 a cost per ton rounded off to \$5 per ton for the
17 original proposal of the W-12 landfill site. At
18 the time I wrote this I had no information on the
19 cost of the W-12A, but it has been indicated during
20 the course of the hearing that it is approximately
21 \$6 per ton.

22 The city's costing on incineration
23 has been mentioned as \$10.30 per ton in the initial
24 report and suggestions again have been made that
25 this might be \$12. SWARU (City of Hamilton) costs
26 \$7.50 per ton. I'm not basing this solely on an
27 article in the Free Press or in the Globe and Mail,
28 both of which were basically similar, but, rather,
29 upon direct conversation with the person quoted,
30 Gordon Sutton who I have been in contact with as



1 recently as two hours ago.

2 What are some of the positive aspects
3 of incineration?

4 (a) ash which remains has small volume

5 (b) ash which remains had no odour

6 (c) ash which remains does not pollute.

7 Perhaps I should qualify this by saying on the
8 scale to which we are referring in the present proposal.

9 (d) ash which remains compacts firmly
10 and can, therefore, be used where fill is required

11 (e) ash will not attract and feed rats,
12 flies, et cetera.

13 (f) energy is produced during burning

14 Therefore:

15 1. Large landfill sites are not
16 required

17 2. Areas which require fill may be used
18 regardless of soil structure, and again this would
19 be with possible precautions being taken, but with
20 nothing in the order we are considering here.

21 3. Agricultural land need not be taken
22 out of production

23 4. Much less traffic and noise are
24 produced in travelling to the disposal site

25 5. Instead of using energy to operate
26 trucks and other vehicles, energy will be produced
27 for other uses (for example, steam, electricity)

28 6. Litter from light materials blowing
29 eliminated

30 7. Odour at site eliminated



1 8. Pollution at site eliminated

2 9. Need for extensive screening from
3 public view eliminated.

4 In spite of these aspects to alternative
5 systems London has decided that they will use landfill
6 for more than twenty years. We must therefore
7 consider what the immediate situation holds in store
8 for the area selected.

9 The process of selecting site W-12A
10 began more than three years ago. A firm of consulting
11 engineers were employed to assist in the process.
12 The initial stages involved selecting all possible
13 sites in the area and eliminating the least useful
14 of these.

15 My understanding is that the area
16 they would prefer is within eight miles of the City
17 Hall of London. I'm not clear at this stage whether
18 that would mean by road or as measured directly.

19 From an initial group of 46 sites, only
20 23 were left after brief study indicated the other
21 23 were unsuitable because of water (ground and
22 surface)

23 and/or capacity of the site
24 and/or soil cover.

25 The remaining 23 sites were evaluated
26 by computer on a system which considered their en-
27 vironmental impact. The top six of these sites were
28 evaluated on an economic basis and site W-12 was
29 selected. Even though it was near the bottom of
30 the environmental ratings (fifth) and did not represent



1 the cheapest site in terms of cost of waste disposal
2 per ton.

3 Should we wonder why it was selected?

4 Following the selection of site W-12,
5 a detailed soil analysis of the site was taken to
6 determine its ability to prevent contamination of the
7 aquifer layers in the area. These tests revealed
8 that the underlying strata were permeable (sand and
9 gravel) and that the site, therefore, was unsuitable.
10 The next move was therefore obvious. Forget the
11 studies that were made previously. Do not select
12 one of the remaining five sites. Select instead a
13 site which had not previously been considered and
14 which, since it was not one of the 46 initial "all
15 possible sites" must be an impossible site.

16 I personally measured on a scale map
17 the distance to site W-12A and I find it is in all
18 respects within eight miles of the City Hall. I
19 do not know, however, whether that is how the distance
20 measuring was to be done.

21 MR. PLAXTON: It was by car, Mr. Chairman.

22 THE WITNESS: I have also noted that
23 by expanding the limit and moving the site one mile
24 further from the City Hall that this involved a
25 consideration of a considerable extra amount of land
26 and based on my calculations I would calculate that
27 expanding the limits of the site from eight to nine
28 miles would involve an approximate acreage of 35,000
29 acres of extra land from which a site might be
30 selected.



1 Having chosen the new site W-12A,
2 brief analysis lasting only a few months was made of
3 the new site. We must assume that since the new
4 site is less than one mile from the old site that the
5 previous ratings would apply. It can be noted,
6 however, that a site designated W-13 less than one
7 mile from W-12 rated thirteenth in the environmental
8 ratings. Thus, the new investigations were based
9 primarily on the suitability of the soil strata in
10 the new site to prevent pollution of the aquifer.
11 These studies were carried out as recently as June,
12 1973. Many of the other investigations are also
13 very recent and it is obvious that the city has left
14 any other interested party inadequate time to have
15 similar independent investigations completed (for
16 example, return of the site to agricultural production).

17 Let us consider the sub-surface in-
18 vestigations of the site. Do they leave any doubt
19 as to the nature of the soil strata in the site?
20 The only two bore holes along the south side of the
21 site, #201 and #104, are approximately one mile
22 apart. Previous investigations of site W-12 showed
23 large quantities of permeable gravel deposits much
24 less than one mile from the site. Does this leave any
25 questions unanswered as to the sub-surface strata in
26 the site?

27 These same investigations also showed
28 no water bearing aquifers, even in the two silty
29 sand layers, except in the region approximately one
30 hundred and sixty feet below the ground level. Should



1 we tell those residents who are drawing well water
2 from wells much less than 160 feet deep about these
3 results?

4 I would also like to make a comment
5 on the surface soil strata in that region. It has
6 been testified earlier by some of the people who are
7 involved in farming of the particular site area that
8 there is a sandy soil nature of strata on the surface
9 of some of the site area. I have personally in-
10 vestigated some of this strata and I have found
11 that in some places, and I could not assure you that
12 this is true of all of them, just as their borings
13 are not true of the entire site. However, I have
14 seen from my own investigations that the soil in
15 this region can be sandy as deep as three feet down.
16 I understand that the city is planning to dig and
17 cover simultaneously, that they are taking off the
18 top soil. My assumption here would be that the top
19 soil would not involve three feet in depth. Therefore,
20 some of this sand will remain. One of the things I
21 wonder about is how they are going to keep this sand
22 separate from the clay which they assure us will
23 cover the site. That is after the garbage has been
24 deposited.

25 Plans for the site detail how
26 surface run-off will be checked for pollutants and if
27 unpolluted will be allowed to leave the site following
28 existing water courses. Does this mean that every
29 rain or thaw which occurs and which might cause run-
30 off will result in samples of the water being taken



1 during this time? Will the water be held back until
2 the samples are analyzed and the results known?
3 If polluted, will it all be hauled away? How much
4 run-off will a one inch rain generate? How many
5 trucks will be on standby to haul away the run-off?
6 If the farmsite ponds are polluted, will they be
7 pumped dry and the water treated at a sewage treat-
8 ment plant? Will water from the ponds ever be
9 allowed to enter the emergency spillways without
10 being tested? What are emergencies? How can we stop
11 a dairy cow from drinking polluted water? Leachate
12 materials from the site may enter a leachate drain
13 provided around the fill area. A figure of 11 acre-
14 inches per year is mentioned relative to existing sites.
15 What volume of leachate will be produced from 10 years
16 of garbage? How many trucks will this require? How
17 do these trucks reach the manholes during inclement
18 weather or unfavourable soil conditions?

19 We have had some of these questions
20 attested to in terms of evidence given here. I
21 submit that the biggest question that remains is the
22 real cost that this will be to the city if all of
23 these plans are carried out and, can we afford this
24 kind of situation when an alternative is available at
25 a cost which at least has some possibility of being
26 predicted?

27 While a continuous layer of clay till
28 will act as a barrier between the site and water
29 supplies, a break in the barrier in the form of test
30 holes not sealed, permeable deposits, or tile drains



1 will permit the leachate to pollute the water. What
2 methods are to be used to seal these breaks? Who
3 will be on the site to locate these breaks during
4 excavation and supervise the sealing of them? The
5 clay till is classed as impervious to water. Is it
6 also impervious to all the chemicals which will be
7 found in the leachate?

8 It has been suggested to me by members
9 of Pollution Probe that the answer to that question
10 is negative. I cannot offer any proof of it at the
11 present time, but I think it is a responsibility of
12 the City of London to provide that answer.

13 The planned site begins near a dairy
14 herd. What is the effect of all the noise, traffic,
15 (600 trucks per day) on these animals? Is the
16 city prepared to subsidize the farmer for any sub-
17 sequent decrease in milk production?

18 Cover material for daily fill is to
19 be obtained from a stockpile. Does clay soil not
20 freeze? How can a six inch layer of frozen clay
21 be used to cover the site? Some of these questions
22 again have been considered during the hearing. I'm
23 not sure that the answers are entirely satisfactory,
24 but they have been considered.

25 How often will the area be policed
26 for loose blowing paper or other materials? Each
27 time a truck unloads this material, will it escape
28 if there is an appreciable wind velocity? How high
29 a velocity wind will it take to blow the paper about?
30 How often do we have such a wind?



1 I don't know the answers to these
2 questions. I had hoped that the city would. I would
3 ask for any information that may be available in
4 respect of effect of wind velocity and surveys on
5 wind velocities for the area should be made available
6 for study.

7 It is noted that odour and other
8 nuisance will not be a problem at Glanworth or at
9 the Shaver Subdivision. Does this mean that odours
10 cannot be detected after having travelled for one
11 mile?

12 In order to help make the site an
13 acceptable situation, it is proposed to return it
14 to agricultural production. What yields can we
15 expect from such land in terms of wheat, corn, other
16 grains, soya beans or pasture? How much of the land
17 will be in use as a producing farm site after five
18 years? Will irrigation be necessary to supply the
19 moisture for the plants to grow and mature satisfac-
20 torily?

21 We have had some comment from both
22 points of view. We have a theoretically impermeable
23 12 inch clay cover on top of this garbage. It has
24 been suggested by some of the farmers who have
25 testified here that tile drainage will be necessary to
26 make the site acceptable. On the other hand, if
27 this clay layer is not impermeable, than that means
28 that the water will go down through it, and, there-
29 fore, perhaps insufficient water may be available
30 to grow a successful crop, in which case this will mean



1 an additional cost in terms of supplying that
2 necessary water in the form of irrigation.

3 Will any chemicals be available
4 which the plants might absorb which would make any
5 produce from the farms more than normally dangerous
6 to public health?

7 We heard testimony from Professor
8 Webber that they had tested a crop which had been
9 grown in a site where garbage was spread on the land
10 and worked into it and no significant abnormalities
11 were found through the tests that were carried out.
12 However, I do not know the entire extent of these
13 tests, nor do I know that they would necessarily
14 apply to another crop or to another type of situation
15 such as a landfill site.

16 What other special precautions and
17 conditions will be encountered in farming this site?
18 We have heard some of those. Why has the proposal
19 of returning leachate to the soil by overhead
20 irrigation been rejected? I believe we have heard
21 about that. The basic answer, as I understand it, is
22 that it would be dangerous to do so. Are the chemicals
23 present in the leachate not harmful to the plant or
24 within the surface water run-off anticipated at the
25 site? We must also consider the devaluation effect
26 the site will have on property owners in the area.

27 If a property owner in the area were
28 selling a property, we need only to consider whether
29 he would have more people interested in purchasing
30 the property with a landfill site present or with the



1 land left in its present state. The law of supply
2 and demand will determine how much less valuable
3 the property will be after the landfill site is
4 established. Will the city be willing to subsidize
5 the owner in the amount of this devaluation?

6 We believe that the considerations
7 voiced in this report show that this or any other
8 additional landfill site is unnecessary, that this
9 particular site was selected by inconsistent means,
10 that it was tested inadequately, that it will be
11 either very costly or impossible for the city to
12 maintain it in the manner described, that other in-
13 direct costs have not been taken into account, that
14 area residents are strongly aligned against the
15 proposal and that, therefore, the Environment
16 Ministry should not grant a certificate of approval
17 for the site W-12A.

18 Those are my comments in the brief,
19 Mr. Chairman.

20 MR. WRIGHT: Q. I would like to go
21 into discussion of the telephone call which took
22 place this morning. Perhaps -- I don't want you to
23 get into the telephone call or the contents of the
24 telephone call, but would you relate the circumstances
25 that led up to the telephone call that was recorded
26 at the CFPL studios today?

27 MR. WRIGHT: Mr. Chairman, my friend
28 is going to be objecting to our playing this tape
29 recording -- am I right?

30 MR. PLAXTON: I understood it was broken



1 and wouldn't work.

2 MR. WRIGHT: We managed ---

3 MR. PLAXTON: Mr. Chairman, we do
4 object to this. I have heard the recording in
5 question. Indeed, I heard it on the radio. I think
6 the City of London -- perhaps you heard the recording
7 yourself, Mr. Chairman. I don't know. It is the
8 Bill Brady Show on CFPL on the radio station here.
9 Mr. Sifton was on a phone call to Winnipeg and
10 speaking to an alleged expert in the field. Mr.
11 Chairman, certain conclusions were arrived at in
12 that discussion and I suggest on behalf of the city
13 it would be irresponsible for me as counsel and
14 negligent of me as counsel to allow such a recording
15 to go in without my having an opportunity carefully
16 examine the person in question. I believe some
17 effort was made to have him come down here. You,
18 Mr. Chairman, are aware of that and, unfortunately
19 from the standpoint of my friend, he could not
20 arrive. He could not come. I have tried to be as
21 fair in the admission of evidence here as I could.
22 I have not taken objection very often and this time
23 I simply can't go that far. I think you can appre-
24 ciate the position we are in.

25 The conclusions I say that are
26 arrived at are without questions, without searching
27 questions are of the kind my friend could have gone
28 after city experts on. He has taken as much time
29 as he should and as I would want to do with this
30 kind of person. I think that fair is fair. He has



1 had as many days, as many days as we have, and I
2 submit, Mr. Chairman, that it would be improper to
3 allow at this stage evidence to go in of this kind,
4 a tape recording of some radio show in which there
5 is a conversation with someone whose qualifications
6 I can't speak to. The tape tries to -- in Winnipeg.

7 THE WITNESS: Perhaps it might be
8 pointed out there is also in my possession an add-
9 itional tape not recorded in connection with the
10 radio show but in connection with Gordon Sutton
11 whose article or at least the basis -- who was the
12 basis for an article in the Free Press and the
13 Globe and Mail -- I talked to this person at noon
14 today and made a recording of that conversation.

15 MR. WRIGHT: Just before we start
16 getting into those things, I would like, Mr. Chairman,
17 if I may, so we can get all of the circumstances
18 out surrounding this tape and this is what I wanted
19 to do before my friend had an opportunity to argue.
20 He argued -- he suggested he questioned this by
21 suggesting that this person in Winnipeg might not
22 exist. My friend knows better than that.

23 MR. PLAXTON: I didn't say that, Mr.
24 Chairman.

25 MR. WRIGHT: In any event ---

26 MR. PLAXTON: I heard him talking.

27 MR. WRIGHT: The man does exist,
28 Mr. Chairman. The city put in a movie which again
29 we were not able to cross-examine on or tromp
30 through it to get behind the hills and take pictures



1 and see whether it was in a desert or what or
2 where it was or questioning any of the statements
3 made in connection with that. To this point this
4 hearing has been accepting any kind of material
5 that may be of assistance or may shed any light
6 on this whole matter. The tape recording, I grant
7 you, is -- cannot be cross-examined on and I quite
8 admit that there is that problem. I would certainly
9 invite comments and I am sure that our friend Mr.
10 Morris will be able to make comments and to be able
11 to suggest whether there are certain difficulties
12 with some of the proposals. I think that the
13 important thing in this whole matter is that this
14 gentleman offers the only source of expert testi-
15 mony which the citizens of the Township of Westminster
16 have been able to muster on their side and it is
17 offered gratuitously by some gentleman in Winnipeg.
18 The qualifications of him Mr. Sifton has. I will
19 also grant you that these gentlemen are in the
20 business of trying to promote these pieces of
21 equipment on a commercial basis and I think that the
22 tape should be allowed in on the clear understanding
23 that a man who could very well be suspect of doing
24 a sales pitch ---

25 MR. PLAXTON: That is correct.

26 MR. WRIGHT: ...with the clear under-
27 standing that Mr. Morris can make whatever comments
28 or suggest any loopholes that may be there, but, Mr.
29 Chairman, this is the only piece of professional
30 evidence which the citizens of the Township of West-



1 minster have to offer. It is a 14 minute tape
2 recording and I think it would be a shame if the
3 citizens were not allowed to have that put in.

4 Perhaps, if I may suggest a recess
5 at this point for the Board to consider what has been
6 said by both sides in this matter.

7 THE CHAIRMAN: Quite frankly I was
8 going to suggest it was an appropriate time to recess
9 to give our reporter a chance for a rest.

10 I will consult my colleagues on
11 the Board. I must say this: that these hearings
12 are here to hear the views of both sides. I didn't
13 hear the broadcast.

14 MR. WRIGHT: I see.

15 THE CHAIRMAN: We will adjourn for
16 15 minutes and then we will proceed.

17 --- Recess

18 --- Upon resuming

19 THE CHAIRMAN: My colleagues and I
20 have discussed this question of the tape recording
21 of the telephone conversation from Winnipeg which
22 was broadcast on the radio. We are not disposed
23 to take evidence that way, and we feel both sides
24 should be here at the time the evidence is presented
25 so you can cross question.

26 MR. WRIGHT: Thank you, Mr. Chairman.

27 Would I be able to ask Mr. Sifton
28 some of the information which he was able to elicit
29 from that conversation?

30 THE CHAIRMAN: I can't see anything



1 wrong with that.

2 MR. WRIGHT: Then he will be subject
3 to cross-examination.

4 Q. All right, Mr. Sifton.

5 MR. WRIGHT: Does my friend have any
6 objection to that?

7 MR. PLAXTON: I made my objection. I
8 think it is understood that Mr. Sifton is not an
9 expert in the field and that whatever he is saying
10 is by way of a secondary or tertiary hand. The
11 evidentiary value of what he is about to say in
12 estimation is very, very remote, very remote indeed.
13 However, if you are allowing it in, I will rest
14 with that decision, naturally and will subject Mr.
15 Sifton to cross-examination afterwards.

16 THE CHAIRMAN: This hearing is more
17 or less informal. I think we can accept what some-
18 body else has said.

19 MR. PLAXTON: Yes, sir.

20 MR. WRIGHT: Q. Perhaps, Mr. Sifton,
21 you could relate to us what information you have
22 been able to gather in respect to alternative methods
23 of disposing of garbage?

24 A. My prime concern has been to
25 consider a method which involves reduction insomuch
26 as it is feasible at this time and also incineration.
27 In respect of that the specific recommendations
28 would like to make would be in connection with the
29 so-called UNIHOG operation based in Winnipeg, Manitoba
30 and the SWARU operation based in Hamilton. In connect-



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1 ion with ---

2 THE CHAIRMAN: I didn't get the name
3 of the operation in Winnipeg.

4 THE WITNESS: UNIHOG, U-N-I-H-O-G.
5 I indicated that I had recently been in contact with
6 Mr. Gordon Sutton in connection with the SWARU
7 operation and one of the questions I asked him was
8 if he was aware of the report in the London Free
9 Press concerning the operation and he indicated he
10 was and that he personally felt the reporter had
11 done a very conscientious job in preparing the report
12 and he agreed with what was said there with one
13 exception. He could not recall exactly what that
14 was, but he indicated it had something to do with
15 the quantities of garbage processed. I believe
16 there has been some mention of some of the basic
17 ideas of this particular aspect.

18 The capital costs of eight and a
19 quarter million, the operating costs of approximately
20 \$7.50 a ton includes the cost of the initial capital
21 outlay.

22 MR. PLAXTON: Are you speaking now
23 of SWARU?

24 THE WITNESS: Yes.

25 MR. PLAXTON: Thank you.

26 THE WITNESS: He indicated, however,
27 that it did not include any of the hauling costs
28 to the site of the SWARU operation. I have no
29 real information at this time as to what it costs
30 London to collect garbage in its entirety. We have



1 | heard some mention made of what it costs to get it from
2 | the terminal point on collection routes to the
3 | site. However, I asked Mr. Sutton to quote me a
4 | figure on the Hamilton collection costs and he said
5 | it would be an estimate on his part but that he felt
6 | it was around \$12 per ton. This is including all
7 | collection costs. I think it would be recognized
8 | that the costs of actually collecting the garbage
9 | would be much the greater proportion of this, rather
10 | than transportation costs from the terminal collection
11 | point.

12 | I also asked him about the fill area
13 | that they were using. It was immediately adjacent
14 | to the site, a large hole exists there, and he
15 | indicated to me that they would have no problem in
16 | getting approval to dump the ash in that location.
17 | I asked him how the problems that were mentioned in
18 | the article earlier were coming along and basically
19 | the answer involves two factors: the equipment which
20 | they ordered did not arrive until June and the City
21 | of Hamilton, of course, has no garbage available to
22 | process in the sense that we have here. A strike
23 | is in progress in that city. They have had no
24 | great amount of time to make any further assessments
25 | of their operation.

26 | The plant also requires that certain
27 | separations be made prior to the incineration pro-
28 | cess. The plan initially was to reduce the size
29 | of the particles in the garbage to a much smaller
30 | level in many cases and the grinding operation has



1 limits in terms of size of the material that may
2 enter that operation. Therefore, certain very
3 large articles would be incapable of being processed
4 by this.

5 MR. WRIGHT: Q. What sort of large
6 articles?

7 A. Something like an electric stove
8 or a large refrigerator perhaps may cause a problem.
9 I would not care to elaborate any further at this
10 point. There are questions I will attempt to answer
11 directly. In connection with the UNIHOG operation
12 in Winnipeg, I have been in direct contact with two
13 people in connection with that operation. One is
14 Dr. Gallup, head of Food Science, University of
15 Manitoba and the other is Mr. Barker who is in essence
16 the presence behind the formation of the company
17 that intends to market UNIHOG and is president of
18 the company that operates UNIHOG along with several
19 other waste disposal problem systems. Dr. Gallup
20 has a great many things to say about pollution and
21 its ultimate effects in connection with waste dis-
22 posal. However, his main concern is the use of
23 garbage in a landfill as opposed to using it for a
24 source of energy or fuel. His statement is to the
25 effect that it is one of the -- once it has been
26 treated by their machine, it is one of the cleanest
27 fuels available and less than 1% of sulphur content
28 under normal conditions. He also indicated that
29 even if a market were not found for this fuel, that
30 the size of the landfill area that would be required



1 would be decreased by 50%.

2 The idea of the operation is similar
3 to SWARU in its initial stages in that grinding will
4 take place and some sort of material -- some sorting
5 of materials also occurs. This process is done in
6 stages, that is, the initial grinding will reduce
7 the particles to a somewhat smaller particle size
8 and then a further step is again involved and sorting
9 is involved at some of these stages.

10 The material is fed into the machine
11 and some of the material will have a relatively
12 large moisture content, as much garbage does, and
13 the machine uses energy produced through the burning
14 of the material going through the machine the pre-
15 vious day to dry out this material and reduce it to
16 a moisture level of approximately 6%. This fuel
17 is then compressed and is available for use by
18 industrial situations such as the possibility of
19 supplying heating or electricity through burning of
20 the waste material after being processed.

21 The assessment of the cost based
22 upon an operation being in their own home situation
23 in Winnipeg, Manitoba is that it would cost \$3.67
24 per ton to treat the garbage in this respect. This
25 does not include getting rid of the after-product,
26 if it is necessary to take it to a landfill site,
27 if no market can be found near the source. Mr.
28 Barker indicated to me very recently, as I stated
29 before, that if London insisted on spending \$6 per
30 ton for garbage, that they would be most anxious to



1 get involved in a situation where a contract would
2 be drawn up with the City of London to install the
3 UNIHOG operation here. Following the signing of
4 the contract a plant could be in operation within
5 one year. It is admitted that there are variables
6 from place to place in connection with the cost and
7 the figure of \$3.67 for the immediate process which
8 involves also sale of some of the products that are
9 separated, cannot be guaranteed for a particular
10 location without adequate investigation. However,
11 one of the things that he is most definite about
12 is that it would be a great advantage to have a firm
13 such as Superior Concrete Products in this region
14 who are willing to accept all of the glass materials
15 which would be separated from the material going into
16 the plant.

17 I will limit my remarks to that extent.

18 Q. Perhaps I could ask a few
19 questions of you. With respect to UNIHOG, if that
20 operation were contemplated in London, who would
21 operate the plant? Would it be the city or would
22 it be UNIHOG?

23 A. I imagine that would depend
24 on the kind of contract entered into between the
25 two parties.

26 Q. I see. The \$3.67, is that net
27 after sale of the final product?

28 A. Yes, I believe so.

29 Q. In your discussion with the
30 gentlemen from Winnipeg, they felt that they could



1 run a profitable operation at \$6 a ton?

2 A. They would be most willing to
3 accept \$6 a ton as a figure for their operation.

4 MR. WRIGHT: Those are my questions.

5 EXAMINATION BY MR. PLAXTON:

6 MR. WRIGHT: Before my friend starts
7 I wonder if before we get into detail of the brief
8 Mr. Sifton's copy is not with him. He ---

9 MR. PLAXTON: I suggest he should be
10 equipped with a copy.

11 MR. WRIGHT: May we borrow a copy?

12 MR. PLAXTON: Q. Have you checked
13 the distance between your residence and the nearest
14 part of the landfill site?

15 A. By the overland direct route?

16 Q. Yes.

17 A. No, I have not.

18 Q. Have you driven to it by auto-
19 mobile or some other way?

20 A. Well ---

21 Q. Travelling along the adjoining
22 roads?

23 A. I know approximately how far
24 it is.

25 Q. How far is it?

26 A. Approximately a mile and a half.

27 Q. Are you -- what is your employ-
28 ment?

29 A. I am employed with the Board
30 of Education as a teacher.



1 Q. Do you have a large tract of
2 land there which you farm?

3 A. No, I do not.

4 Q. Dealing with the petition to
5 which reference has been made, do you agree with me
6 that the petition was for the most part signed prior
7 to the commencement of this hearing?

8 A. Yes, that is true.

9 Q. Therefore, anyone who signed
10 it was not aware of the detailed knowledge we all
11 have now following this hearing?

12 A. No more so than I was at the time.

13 Q. Your brief refers to the fact
14 that there is an alternative method to landfill and
15 it infers at least, if it doesn't say this directly,
16 that under some other method you can dispose of the
17 need of landfill entirely?

18 A. No, I don't believe I say that
19 in there. The intent would be that -- do you want
20 me to refer to the specific section?

21 Q. The word "alternate" appears
22 there and I would like you to qualify whether you
23 meant it in that respect or not.

24 A. I meant it in respect of land-
25 fill being the designated system of disposal at
26 the present time and, if an alternate system were
27 established, that system would be principally some
28 other form such as designated in the report of
29 MacLaren's, such as incineration.

30 Q. So that landfill in fact is re-



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1 quired. Do you agree?

2 A. Yes, I do.

3 Q. In the brief where it says,
4 "landfill sites are not required", do you agree it
5 is inaccurate in that respect?

6 A. Could you refer me to the
7 specific page?

8 Q. On page 4 I think you are saying
9 large landfill sites are not required.

10 A. That is what I said.

11 Q. But small ones are. Fine. That
12 clarifies that point.

13 MR. PLAXTON: Mr. Chairman, there
14 are a whole series of questions raised by this
15 brief. They have been answered, but they have not
16 been answered and they have not been asked. We
17 have had four days of hearings and if there is
18 anything questioned in that brief, Mr. Chairman,
19 if you don't mind the evidence being answered
20 for it, I submit it is because it has never been
21 asked.

22 THE WITNESS: Could I make a comment
23 here?

24 MR. PLAXTON: Yes.

25 THE WITNESS: My understanding of
26 cross-examination is that cross-examination is to be
27 based on the evidence given. If no mention has been
28 made of any particular topic at any given time, then
29 I would consider it perhaps not relevant in cross-
30 examination.



1 MR. PLAXTON: That is not my under-
2 standing. My understanding is that if you have a
3 concern, you come here to try and get it clarified.

4 THE WITNESS: That is what I just said.

5 MR. PLAXTON: It seems to me that
6 there are a number of questions which point up
7 concerns ---

8 MR. WRIGHT: Is there something that
9 has been raised here? If there are answers to be
10 given, you have the chance to ask it now. That is
11 unless it has been dealt with to your satisfaction.
12 I'm sure the Board would let you put anybody you
13 wish in to answer any question you do not feel has
14 been asked.

15 MR. PLAXTON: Mr. Chairman, the point
16 is we had witnesses in. It is this question of
17 wind velocity has never been asked. It appears in
18 the brief. It could have been asked. Unless we
19 want to protract this hearing into another time and
20 place and week, why, the opportunity to answer a
21 detailed question of that kind, I am afraid escapes
22 the city. If there is real concern about that
23 question, then it should have been asked.

24 THE WITNESS: Can I make a further
25 comment?

26 MR. WRIGHT: Go ahead. I'm perhaps
27 usurping your authority, Mr. Chairman.

28 THE CHAIRMAN: Go ahead.

29 THE WITNESS: I remind you again of
30 what I said before and I had also questioned that if



1 the city considers this to be an important question,
2 whether they have had any research done specifically
3 on that question and, if not, why is it important?

4 MR. PLAXTON: You are asking me to
5 answer your question.

6 THE WITNESS: I was suggesting that
7 to the Chairman.

8 MR. PLAXTON: Now, Mr. Chairman, I'm
9 putting aside the brief. My contention with respect
10 to that is simply the evidence is there to answer
11 the bulk of the questions. Those questions that
12 have not been asked have not been answered, of course.

13 There is one inaccuracy about the
14 brief I would like to point out. The upper aquifer
15 is approximately 50 feet below the surface and the
16 lower aquifer is about where the brief puts it, much,
17 much, lower, something like 60 feet. So we do have
18 aquifers at that point.

19 Now, Mr. Chairman, in connection with
20 the question of incineration I would like to ask this
21 witness what the capital cost, initial capital cost
22 of the SWARU plant in Hamilton was? That is accord-
23 ing to the information he obtained.

24 THE WITNESS: Eight and a quarter
25 million dollars.

26 MR. PLAXTON: Q. And that agrees with
27 the information given the city. Can you tell me in
28 what year they commenced the construction of this
29 plant?

30 A. No, I cannot.



1 Q. My information is that con-
2 struction started in March of 1970. The eight and
3 a quarter million dollars, would that reflect current
4 day values having regard to inflation inbetween?

5 A. I suppose if I could use some
6 sort of basis for answering that question, if I
7 could use the city's own report which is dated
8 1970, then I would have to say that based on the
9 city's present costs, it does not.

10 Q. The evidence is that there is
11 a 25% increase in cost referred to in the city's
12 brief that was taken off in 1970.

13 A. In connection with?

14 Q. Original capital costs.

15 A. For landfill?

16 Q. Yes. And incineration. I
17 think it was more in the direction of the incinera-
18 tion costs.

19 Now, on the evidence, what figure
20 would that concur with -- you have been here all the
21 way -- of the city's cost for landfill as the initial
22 capital cost?

23 A. It could be considerably higher.

24 Q. Do you recall the figure of
25 one million three for the City of London for land-
26 fill as being the original capital cost, one million,
27 three hundred thousand dollars?

28 A. I do not recall that being
29 stated specifically.

30 Q. I see. And you are suggesting



1 that the cost to Hamilton was \$8,250,000? Is that
2 correct?

3 A. That was the capital cost of
4 the plant.

5 Q. Have you in fact visited or
6 seen the SWARU operation?

7 A. I have not.

8 Q. Are you at all qualified to deal
9 in costs related to sewage or waste disposal?

10 MR. WRIGHT: He is not an engineer,
11 Mr. Chairman. He has studied this during the last
12 month or so since the city had decided upon this
13 plan.

14 THE WITNESS: I understand that
15 landfill and other methods of waste disposal involve
16 chemical processes and to that extent I have some
17 qualifications. I have graduated from the University
18 in a science field.

19 MR. PLAXTON: Q. Can you say whether
20 -- now dealing with the UNIHOG operation, Dr. Gallup,
21 to whom you referred, is with the University of
22 Manitoba, has a financial interest in the company
23 in which Mr. Barker is president?

24 A. Yes. He is a part of the
25 incorporated firm.

26 Q. So both opinions you have come
27 from people who are selling the kind of equipment
28 involved?

29 A. Yes, I would say that is true.

30 Q. You referred there to a cost of



1 \$3.67 per ton and I ask you how much it would cost
2 in terms of initial capital outlay to the City of
3 London comparing it to the \$1,300,000 we referred
4 to earlier as the initial capital cost of landfill?

5 A. The information that I was given
6 in connection with capital cost is that a definite
7 figure cannot be established. However, the normal
8 range would be somewhere in the neighbourhood of
9 three million to \$3,500,000 capital cost and that
10 their engineering studies would show that this
11 capital cost could be written off over a period of
12 15 years.

13 Q. But that figure is not definite?
14 Is that correct?

15 A. No more so I guess than the
16 City of London's estimate of their capital cost.

17 Q. Now you tell me one year from
18 the signing of the contract this system would be
19 available to the city; is that what you are saying?

20 A. That is what I was told.

21 Q. Do you have any idea how long
22 it would take to get to the position of signing a
23 contract of this kind?

24 A. Mr. Barker who I was talking
25 to very recently indicated that other than a two or
26 three week delay period in connection with their
27 own activities, the only delays involved would be
28 getting the necessary approvals through the municipal
29 body of London.

30 Q. That doesn't agree with the



1 conversation between the same chap and the Mayor
2 of the City of London this morning. He called to
3 the Mayor and said it would take two years minimum

4 A. His call ---

5 Q. ...to put his operation of
6 UNIHOG into the City of London. What do you say to
7 that?

8 A. All I can say is his call to
9 me was subsequent to his call to her and that is
10 what he told me. He said -- by the way I might
11 make a comment in connection with Dr. Gallup again
12 -- the tape recording is not available, but his
13 comment there was two years, perhaps 18 months and
14 Mr. Barker indicated the prime reason he called me
15 was to clear up that problem and that Dr. Gallup
16 was primarily concerned with the engineering aspects
17 of it and that he wanted to make it clear at this
18 time that this was his opinion.

19 Q. Have you given any consideration
20 to the extent to which the original capital cost of
21 an improvement from the standpoint of the City of
22 London might be of its total budget for capital
23 works programs? That is capital works programs now
24 in effect.

25 A. I understand the City of London
26 has a capital cost problem in that they are running
27 near the total allowable under the Ontario Municipal
28 Board conditions. I cannot speak for the City of
29 London as to whether or not this two and a half
30 million dollars would go over any such limit.



1 Q. Do you agree it is a very
2 important consideration in the affairs of any
3 municipal council?

4 A. I do.

5 Q. And that they couldn't afford,
6 in the light of the capital budget program they have
7 and the approvals they have, the limits of the
8 approvals, they couldn't afford to put in eight and
9 a quarter million dollars or, as you say, it is your
10 figure, three and a half million dollars? What would
11 you say about that?

12 A. I would say it depends on the
13 city's priorities.

14 Q. That is not much of an answer.
15 We have got a lot of problems, a lot of priorities.

16 A. I believe if they are as
17 sincere about wanting to get into this kind of thing
18 as they say they are and their submissions to the
19 province say they are and the province says it is,
20 then certainly that kind of money is not unavailable
21 to the City of London.

22 Q. If the province were going around
23 giving grants, perhaps I would agree.

24 A. They have indicated they are
25 interested.

26 Q. Are you aware of the Provincial
27 Government's latest policy in this regard?

28 A. In which regard?

29 Q. In regard to grants in aid of
30 projects of this kind?



1 A. I couldn't state what it is
2 word for word.

3 Q. My information is that the
4 policy is to limit it to engineering studies until
5 practical alternatives can be made available and one
6 other area is that it is the policy stipulated now
7 for a pilot reclamation plant to be located some-
8 where Those are two
9 items I know of. The grants are not available at
10 this time.

11 A. Could you tell me what your
12 source of information is?

13 Q. The City Engineer.

14 A. Will this be submitted as an
15 Exhibit?

16 Q. No. This is already in the
17 evidence. We dealt with both these questions.

18 MR. PLAXTON: That is all, Mr. Chairman.

19 THE CHAIRMAN: Are there any further
20 questions of this witness?

21 MR. WRIGHT: Mr. Chairman, if I may
22 ask a few.

23 RE-EXAMINATION BY MR. WRIGHT:

24 Q. How much land do you in fact
25 own?

26 A. Approximately two-thirds of
27 an acre. It is a lot.

28 Q. Is any of it being used -- is
29 any of it under cultivation for your own personal
30 use?



1 A. Not insofar as any normal lot
2 in a city would be.

3 Q. Is it planted?

4 A. No. The entire area of the lot
5 is in grass around the house. I know what the intent
6 of your question is and perhaps I could say -- I
7 had to refrain from commenting at the time but it
8 was indicated that perhaps -- at least I gather the
9 intent of the question as to my employment was to
10 determine what relevance I had with agriculture in
11 the area. I might say that I was on a farm and
12 involved in farming up until five years ago in the
13 area near Strathroy. We owned our own farm and I
14 worked on it even after I began teaching. I still
15 am involved in agriculture and I presently this year
16 have an agricultural operation commensurate with the
17 time I have spent on it of several acres of land.

18 Q. Mr. Plaxton was talking about
19 these signatures being secured before this hearing.
20 The inference being that after hearing the city's
21 case you have changed your mind. Have you changed
22 your views in view of what the city has put in as
23 evidence?

24 A. The offers the city has made,
25 the guarantees they have made have been informative.
26 I still do not believe that a landfill site of this
27 magnitude represents responsible planning. I believe
28 that it will cost the citizens of the area considerable
29 sums of money which essentially the city is telling
30 us that its citizens are not prepared to pay.



1 MR. WRIGHT: Thank you, Mr. Chairman,
2 those are all my questions.

3 THE CHAIRMAN: Are there any further
4 questions?

5 MR. PLAXTON: Not over here, Mr.
6 Chairman.

7 THE CHAIRMAN: Are there any further
8 witnesses? Do you want to sum up?

9 MR. PLAXTON: We want to call some
10 reply evidence concerning the cost of SWARU and
11 the cost of incineration, concerning the impact
12 this would have on the city's budget for capital
13 works and the extent to which the city is authorized
14 now for debenture financing in matters of that kind.
15 I don't expect it will take all that long. I have
16 three witnesses. Mr. Morris, followed by Mr.
17 Schwartzel and followed by the City Treasurer.

18 THE CHAIRMAN: Thank you, Mr. Sifton.

19 VICTOR MORRIS, recalled:

20 FURTHER EXAMINATION BY MR. PLAXTON:

21 Q. Mr. Morris, we have heard a
22 number of figures with respect to the cost per ton
23 of handling refuse and I would like you to describe
24 how that figure in the light of capital works and
25 the effect on capital budget is important to the
26 extent that part of the figure as I understand it
27 relates to a 20 year cost of operation and part of
28 it relates to an initial expenditure of funds. I
29 would like to deal firstly with the site very briefly
30 on what the total capital cost as you estimate it would



1 | be should this approval be granted and the Ontario
2 | Municipal Board approval as well?

3 | A. We have estimated that the total
4 | capital cost would be \$1,300,000.

5 | Q. One million, three hundred
6 | thousand dollars. And what is your estimate as to
7 | the cost of introducing the kind of incineration
8 | method in addition to a landfill site referred to
9 | in your report of October, 1970?

10 | A. Our capital cost for the re-
11 | commended incinerator alternative in the 1970 report
12 | was about \$6 million.

13 | Q. In the light of current costs ---

14 | THE CHAIRMAN: What was the figure?

15 | MR. PLAXTON: Six million dollars.

16 | Q. I take it your one million,
17 | three is a current estimated cost?

18 | A. Yes.

19 | Q. In the light of current costs
20 | what would the \$6 million amount to in your opinion?

21 | A. In my opinion it would be in
22 | the order of \$10 million.

23 | Q. For what reason do you go up
24 | that high?

25 | A. For two reasons. The increase
26 | in quantities of waste being generated would there-
27 | fore require an increase in the size of the incinera-
28 | tor plant and also an increase due to the cost of
29 | construction since 1970.

30 | Q. To what extent are you attributing



1 an increase in the cost of construction over 1970?

2 A. I have taken the engineering news
3 records given in the 1970 report as the value of
4 1,300.

5 Q. That is to say as of that
6 time it had a value of 1,300?

7 A. Yes.

8 Q. And that same index today is
9 what?

10 A. Eighteen fifty.

11 Q. Does the difference represent
12 an increase of cost of installation of an incinerator
13 plant of this kind?

14 A. Yes. I double checked that
15 with another group in our office working on the
16 Ottawa report and they came up with a similar figure.

17 Q. So that we are looking at
18 \$1,300,000 for a landfill site as the capital cost
19 and your estimate would be \$10 million for incineration
20 and that would or would not include a landfill site?
21 Does that -- is that included in the cost?

22 A. That does not include a land-
23 fill site, no.

24 Q. Would one be needed?

25 A. Yes.

26 MR. PLAXTON: I have no further
27 questions of this witness.

28 EXAMINATION BY MR. WRIGHT:

29 Q. You say the 10 million does
30 not include a landfill site which would have to be



1 built in addition. Would that landfill site in
2 addition be as large as the one being proposed?

3 A. No, it would not.

4 Q. What are the capital costs of
5 a landfill site which could be used in connection
6 with an incineration operation or have you worked
7 it out?

8 A. I have not worked it out. The
9 volume would be about 30% of the existing one.

10 Q. Probably many of the precautions
11 with respect to these other matters would not be
12 necessary?

13 A. That is correct.

14 Q. And the hauling costs would not
15 be as high?

16 A. No.

17 Q. Basically, you are coming to
18 these figures in support of the city's case and you
19 have not worked out any alternatives? You haven't
20 worked out the figures ---

21 A. I have worked out an updated
22 figure for capital cost of incineration.

23 Q. Clearly, it isn't a matter of
24 adding \$10 million and one million, three. It is
25 a question of adding a very substantially smaller
26 figure?

27 A. That is why I didn't think it
28 was necessary.

29 Q. I take it then because of the
30 wide discrepancy in capital cost between the two and



1 because on your testimony the cost per ton is
2 doubled that the operating cost of incineration is
3 very substantially less than the operating cost in
4 connection with a landfill operation or have you
5 changed your mind on that too?

6 A. What do you mean changed my
7 mind too?

8 Q. Have you changed your mind with
9 respect to the figures that are doubled?

10 A. No.

11 Q. The cost per ton which includes
12 a capital figure and an operating figure will be
13 doubled?

14 MR. PLAXTON: Mr. Chairman, we have
15 already dealt with the cost per ton approach.

16 MR. WRIGHT: Yes, we did, but I'm
17 just trying to establish the operating cost of an
18 incineration operation is going to be very substan-
19 tially less than the operating cost of the landfill
20 site.

21 MR. PLAXTON: Perhaps the witness can
22 answer that.

23 MR. WRIGHT: That is why I asked him.

24 THE WITNESS: Actually the cost of
25 operating an incinerator is higher than that of
26 operating a landfill site. The major difference in
27 cost is in haulage costs. The landfill site being
28 two and a half times what it would be for the
29 incinerator.

30 MR. WRIGHT: Q. When I spoke of operat-



1 ing costs I meant to imply everything that was not
2 capital cost which included haulage.

3 A. Amortized and everything else,
4 you come back to this twice figure.

5 Q. Would you agree with Mr. Sifton
6 that the increase in cost per year for a family of
7 four in the City of London is \$24?

8 Do you want me to go through that again?

9 A. No, I remember that. I dis-
10 cussed it with Mr. Sifton and we agreed that was a
11 very ball park figure. It would be something in
12 that order.

13 Q. Something in the order of \$24
14 a year for a family of four in the City of London?

15 A. Correct.

16 Q. Given the present population
17 and your present estimate of current volumes and
18 given your estimation of the cost for this ---

19 A. Six dollars per ton^{extra} and a ton
20 per capita -- this is not getting into detail on
21 the assessment base for a family.

22 Q. We got agreement on the figures.
23 I won't pursue it any further. Those are my questions.

24 MR. PLAXTON: Mr. Morris, would that
25 \$24 per family include any part of the financing
26 cost on the debenture?

27 THE WITNESS: Well ---

28 MR. PLAXTON: Let us say the eight and
29 a quarter million dollars incinerator plant.

30 THE WITNESS: It is based on the



1 amortized cost which we would derive here of \$6
2 a ton for landfill and \$12 a ton for incineration.
3 These include the financing costs and so on.

4 MR. PLAXTON: They do?

5 THE WITNESS: Yes.

6 THE CHAIRMAN: The \$24 per family is
7 for incineration of landfill?

8 MR. WRIGHT: No, Mr. Chairman, that
9 is the extra cost. If you go to incineration, that
10 is the extra cost per year.

11 MR. PLAXTON: Does the \$10 million
12 include any part of the financing costs?

13 THE WITNESS: No.

14 MR. PLAXTON: Is that all in for the
15 plant alone apart from the financing costs?

16 THE WITNESS: That is apart from the
17 financing costs.

18 MR. PLAXTON: That is the amount that
19 has to be advanced?

20 THE WITNESS: Correct.

21 MR. PLAXTON: I have no further
22 questions.

23 MR. WRIGHT: I have no questions
24 arising out of that.

25 MR. VAN DIEPEN: I just want to ask
26 one question. This \$10 million, does that include any
27 grant from the government?

28 THE WITNESS: The only possible grant
29 is toward engineering. That would not be a big
30 factor.



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1 MR. VAN DIEPEN: Thank you.

2 MR. PLAXTON: I would now like to
3 call Mr. Derrick Schwartzel.

4 DERRICK SCHWARTZEL, called:

5 EXAMINATION BY MR. PLAXTON:

6 Q. Mr. Schwartzel, are you one of
7 the engineers with the Engineering Department of
8 the City of London?

9 A. I am.

10 Q. Without further ado I would
11 like to get into the details of the visit you made
12 to Hamilton in May of this year. Did you attend
13 the SWARU plant in Hamilton?

14 A. Yes, in May of this year.

15 Q. What do the initials SWARU
16 stand for?

17 A. Solid Waste Reduction Unit.

18 Q. On that occasion, did you meet
19 with Mr. Gordon Sutton who is a consultant engineer
20 on that project?

21 A. Yes, a consultant directed
22 the tour over the site.

23 Q. Before you get into your dis-
24 cussion about the costs and so on, would you describe
25 generally the site of this plant?

26 A. Architecturally it is a nice
27 appearing building. From an aesthetic point of view
28 at the time we were visiting the plant the incinerators
29 were both out of commission. There was some work to
30 be done. They were having problems with certain features



1 in the plant. Litter was from the grinding mills.
2 Small pieces of paper completely littered the site.
3 There were plastic^{garment} bags and broken trees nearby to
4 the adjacent -- adjacent to this site. The fine
5 precipitate ^{collected} / by the electro-static precipitators
6 was lying at the bottom of the precipitators appearing
7 like black mud. There was difficulty in removing the
8 ferrous metals because paper was collected and bound
9 up with the metal and in general the site was un-
10 sightly. Certain portions of the building were very
11 odourous, namely, the grinder area and the area where
12 the ferrous metals were extracted.

13 Q. Based on the information given
14 to you at that time would you inform the Board when
15 the design for this particular SWARU was commenced?

16 A. I asked of the consultant
17 certain details because we were interested in these
18 facts and he stated that the design was commenced
19 approximately January, 1968 with actual construction
20 of the plant starting in March of 1970. The boilers
21 were ordered one year ahead because of the delivery
22 time. The reduction unit was expected to be fully
23 operational to full capacity, subject to delivery of
24 certain remaining parts, in July of 1973.

25 Q. So that^{is} from January, 1968 to
26 July of 1973, a period of approximately four and a
27 half years; is that correct?

28 A. That is correct.

29 Q. Five and a half years?

30 A. Correct.



1 Q. That is from the time of commence-
2 ment of the design to when it would be fully operational?

3 A. Right.

4 Q. When was it partially operational?

5 A. That is a little difficult to say
6 because we wanted to see the plant in operation and
7 we had to wait six weeks approximately before we
8 could even make arrangements for a visit. On the
9 day we visited it the incinerators just happened
10 to be out of commission.

11 Q. Did they indicate any difficulty
12 with respect to this system, any continuing defect
13 or problem?

14 A. They indicated there would have
15 to be some modifications to the ferrous metal
16 collecting mechanism and they did enumerate certain
17 items that would need modification and would improve
18 in any future design.

19 Q. Did they give you any information
20 as to what their original budget cost might have been
21 and how that amount was exceeded?

22 A. On their brochure they estimated
23 total capital cost at eight and a quarter million
24 dollars. I asked Mr. Sutton what he felt the plant,
25 a similar plant would cost if it were constructed
26 today, and he stated that it would be in excess of
27 \$10 million. There is one correction here. The
28 eight and a quarter million dollars was a cost for
29 the east Hamilton plant which figure is exclusive
30 of the engineering costs at 4½% and land costs of



1 \$150,000. The consultant further stated that it would
2 be necessary to have a sanitary landfill
3 site as well. There was a sanitary landfill site
4 in operation at the time up on the hill to which
5 they were taking certain building materials and so
6 forth. They were disposing of ash on the site, but
7 I understood that when that capacity, the ash capacity
8 on the site was exhausted, they would have to provide
9 another sanitary landfill site and they suggested
10 near Ancaster within three or four years to dispose
11 of the ashes completely.

12 Q. Did Mr. Sutton indicate to you
13 how long it might take, should the city elect to go
14 with this kind of system, how long it might take
15 before it came into actual operation?

16 A. With this experience in this
17 experimental plant / ^{the} consultant estimated that to
18 construct a similar reduction plant today would
19 take one year to design and order the boiler and
20 then two and a half years to construct.

21 Q. A total of three and a half
22 years?

23 A. Correct.

24 Q. Now can we deal with the capital
25 costs, that is to say, the \$7.60 per ton figure
26 which I understand you indicated?

27 A. I asked Mr. Sutton for a break-
28 down of the costs and, of course, with the remark
29 that the plant had not operated to its full capacity
30 as yet, no realistic cost of the operation was available,



1 but to the best estimate they could provide, \$4.10
2 per ton for the amortization of capital and he
3 quoted the rate of 7¼% for 20 years. Our write-off
4 would be higher than that. Mr. Date can probably
5 provide you with that figure. There is a \$3.50
6 per ton operating cost giving a total of \$7.60 per
7 ton. He stated that the above estimate does not
8 include the operation of a sanitary landfill site
9 for materials that cannot be processed through the
10 reduction unit nor the haulage costs from the last
11 point of collection. That would be extra.

12 Q. Was there an estimate made at
13 the time this plant was originally conceived and
14 designed as to the number of persons who could
15 operate the plant, be employed there?

16 A. The original estimate of staff
17 at this plant was 29. The present estimate is 42
18 to 44 men working 21 shifts and also there would be
19 the men at the fill site. I didn't enquire how
20 many would be involved there.

21 MR. PLAXTON: Thank you very much,
22 Mr. Schwartzel.

23 EXAMINATION BY MR. WRIGHT:

24 Q. Mr. Schwartzel, would you agree
25 that if the City of London undertook a SWARU
26 project that they would learn a great many lessons
27 from the experience of Hamilton?

28 A. I think everybody learns
29 experiences from any project going on and certainly
30 we would, but I certainly would not like to be the



1 experimenter. I think I would want something more
2 definite to go upon for the City of London.

3 Q. The citizens of the Township
4 of Westminster feel exactly the same way about this
5 landfill site. You would agree with me that London
6 would certainly profit from the experience of
7 Hamilton?

8 A. Certainly.

9 Q. Did you -- could you ball park
10 a figure for us? You say \$7.60 per ton does not
11 include haulage or landfill. Based on what Mr.
12 Morris just said about the necessity of carrying on
13 a much smaller landfill site with much lower capital
14 requirements and much lower operating requirements,
15 and also ball park a figure for us on haulage
16 considering we are going to an incineration plant
17 of the SWARU type somewhere relatively close to
18 downtown London and assuming certain haulage costs
19 out to the landfill site? Can you give us any ball
20 park? If you don't want to, that is fine.

21 A. I haven't done any calculation
22 on that.

23 Q. So you, like Mr. Morris, come
24 to support the city's case but have given no
25 consideration to figures which might arise out of any
26 alternatives?

27 MR. PLAXTON: Mr. Chairman, the evidence
28 we have been trying to lead shows the initial impact
29 of such a process.

30 MR. WRIGHT: I have no further questions.



1 Mr. Chairman.

2 THE CHAIRMAN: Anyone want to ask
3 questions? If not, that is all. Thank you.

4 DENNIS DATE, called:

5 EXAMINATION BY MR. PLAXTON:

6 Q. What is your position with
7 the City of London?

8 A. I am Finance Commissioner for
9 the City of London.

10 Q. Perhaps you could get a little
11 closer to the microphone.

12 A. Is that better?

13 Q. Thank you.

14 Mr. Date, we are trying to examine
15 the impact on capital cost in the order of \$10
16 million sustained by virtue of an incinerator plant,
17 what impact that would have on the existing capital /^{debt}
18 structure of the City of London as well as on the
19 existing capital works budget of the City of London?
20 Can you describe those two areas for us?

21 A. Yes. I think I can best relate
22 to this question by indicating that the present
23 10 year capital works program of the municipality
24 calls for debentures in the order of \$10 million
25 quota for debenture, around \$2 million from current
26 funds. This is^{over} an average period. If the in-
27 jection of \$8 million was introduced into this
28 budget in a relatively short period of time, perhaps
29 two years, based on the information supplied to me,
30 there is very little likelihood of a large subsidy ---



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1 Q. Perhaps you could start again.

2 A. I will repeat that the average
3 debenture quota called down by the municipality is
4 estimated at \$10 million annually with \$2 million
5 supplementary coming in from the current budget.
6 The injection of a capital expenditure of \$8 million
7 in a short period of time, say, two years, asking for
8 \$4 million which would primarily fall on the debenture
9 quota, I think it is reasonable to conclude that
10 this would seriously disrupt the capital works program
11 to the extent that major projects now planned would
12 of necessity have to be dropped. Based on the
13 finance department -- would not support a capital
14 works program of that size at one time.

15 Q. Within that capital works budget
16 are there still major projects still waiting, such
17 as sewage treatment and other environmental works
18 of that kind?

19 A. Yes. The prime areas of invest-
20 ment in capital works in fact are easily identified
21 in the area of pollution control plans which over
22 the 10 year period will draw down \$25 million in
23 debenture quota and the amount called down each year
24 is really nothing relevant, but it is straight for
25 about a 10 year period. It is a substantial part of
26 the capital works program each year.

27 MR. PLAXTON: No further questions.

28 THE CHAIRMAN: Any questions, Mr. Wright?

29 EXAMINATION BY MR. WRIGHT:

30 Q. Would the city be prepared to



1 allow other communities to share in the cost of
2 building such a system?

3 A. The city would never be averse to
4 receiving
/ money from any source in my opinion, if that is the
5 intent of your question.

6 Q. If the capital works
7 area
budget was spread out among a number of communities,
8 the impact would not be as great on the City of
9 London?

10 A. I think that is an obvious
11 conclusion.

12 Q. The only other question I have
13 is: all the sewage treatment plants and the pollution
14 control plants that the city is spending its money
15 on, it is primarily for the benefit of the citizens
16 of London?

17 A. I'm not fully qualified to
18 comment on that but I think we could agree that it
19 is their affair.

20 Q. I would think so too. It is
21 nothing to benefit the Township of Westminster people,
22 you can be sure?

23 A. As I say, I am not fully
24 qualified to comment on the program for capital works.

25 MR. PLAXTON: I would like to come
26 back with one question.

27 RE-EXAMINATION BY MR. PLAXTON:

28 Q. When you set up a pollution
29 control plant for the better treatment of sewage,
30 I assume downstream people would be benefiting from



1 this improvement, would they not?

2 A. This is the inference I would
3 like to draw. The City Engineer would be more qualified
4 to comment on that than I.

Q. That is fine. Thank you.

5 MR. VAN DIEPEN: Sir, I read the Free
6 Press once in a while when I have time and not too
7 long ago the City of London was having a grant or
8 whatever it was in excess of \$6 million. Isn't that
9 so, from the provincial government?

10 THE WITNESS: That is correct.

11 MR. VAN DIEPEN: As far as I know,
12 most of it they have given back to the citizens of
13 the City of London.

14 THE WITNESS: That is also correct.

15 MR. VAN DIEPEN: I wonder what they
16 have done with the \$6 million, bought lollipops?

17 THE WITNESS: If this calls for an
18 answer ---

19 MR. VAN DIEPEN: Where I come from
20 it is all right if the citizens have to pay \$24 a year
21 less to get rid of their garbage but it is all right
22 for the citizens of Westminster Township to find
23 five or \$10,000 a year to get garbage service.

24 Thank you.

25 --- (Applause)

26 MR. PLAXTON: One further question.

27 Q. There was a reference in the
28 evidence earlier to \$24 per family as being the in-
29 creased tax load arising out of incineration. What
30 is your comment about this kind of calculation?



1 A. I think the division of cost
2 into smaller units is always designed to produce
3 an impact when frankly, if you divided it down into
4 a daily cost it would even sound more attractive.
5 We cannot indulge in that kind of presentation to
6 the City Council.

7 Q. So the approach of the cost
8 per family per year is not an acceptable approach
9 to you as Finance Commissioner of the city?

10 A. I find it unacceptable.

11 MR. WRIGHT; I have one question
12 arising out of that.

13 RE-EXAMINATION BY MR. WRIGHT:

14 Q. Whether or not you like the
15 message, you accept the figure?

16 A. I was not asked to prepare
17 those figures and I am certain that my colleagues'
18 figures are correct.

19 MR. SHORE: I would like to ask the
20 Finance Commissioner if he could explain something
21 that is bothering me a little bit. I have been a
22 director three or four times before on the Fair
23 Committee and we have also had to work on a budget
24 and I know you are limited on the ceiling of your
25 budget as far as borrowing is permissible and is
26 extended by the Municipal Board. What I'm trying
27 to ask you is this and we have done it in other
28 organizations: when something has arisen that places
29 a number one priority over something, that you might
30 have to drop what you consider one, two, three or
four in the rate of priorities to pick up this other



1 priority that is proven, what do you do? If this
2 incinerator thing has become a priority, then in the
3 opinion of everybody concerned, why can't you drop
4 three or four of these items in the budget and move
5 this item up where it belongs and get the money you
6 need? We all know that the City of London was able
7 to find money for something they considered above
8 this as a priority. That is not quite all.

9 It has been explained at great length
10 and as a matter of fact four days and even going into
11 a fifth day at great length to explain why the city
12 cannot spend this money. I'm going to point out an
13 example. Supposing any of the people around this
14 landfill site, supposing John Van Diepen whom you
15 all know because he's spoken on numerous occasions,
16 for some reason or other is forced to sell his farm.
17 We are agreed he will not be able to get within 50%
18 of that farm of what he could have gotten for it
19 a year ago.

20 What I am saying and which is the
21 most important, to move this incinerator priority up
22 in the first place and drop three or four others or
23 let Mr. Van Diepen or Mr. Bradish or myself or any
24 of the others subsidize the City of London to the
25 extent of I don't know how much? They say 50% more
26 cost. In effect, what we are asked to do is to
27 subsidize the City of London in at least 50% of the
28 disposal of their garbage. Let's get down to facts.
29 Let's put things in perspective where they belong.

30 Thank you. You didn't answer my



1 question but I think maybe I answered it for you.

2 --- (Laughter and applause)

3 THE WITNESS: On the matter of prior-
4 ities the municipality is always faced with the prior-
5 ities, but in substituting these priorities this
6 exercise is carried out and one cannot look at any
7 project in isolation without finding it a highly
8 desirable project. It is when all of the projects are
9 stacked against each other that the limitations come
10 into play and, as I indicated, I think it is correct to
11 say that the City of London's priorities have been
12 predicated on supporting the protection of persons and
13 property primarily and that the provision of recreation/^{services}
14 to the lower end of the scale have been relegated. The
15 opposition to this order of priorities is quite vociferous.

16 On the question of subsidy, I fail to
17 follow the question. I would challenge the sub-
18 sidization from a property management point of view.
19 It is the desire and need for land by an urban community
20 which often creates a high value over and above the
21 intrinsic value of the land itself. I challenge that
22 situation.

23 THE CHAIRMAN: Any further questions?

24 MR. PLAXTON: Mr. Chairman---

25 THE CHAIRMAN: Do you have any idea
26 how long you might need?

27 MR. PLAXTON: About ten minutes. You
28 might let me know when it is up.

29 ARGUMENT BY MR. PLAXTON:

30 First of all I want to thank the Board
for the hearing. I think there have been statements



1 here in the course of this very heated debate, I
2 would call it, to the effect that we don't have
3 a democratic system here in Canada and it seems to
4 the fact
me/that we have been here for five days evidences
5 democracy and the way it works.

6 I challenge the statement that was
7 made to ~~that~~ effect. I think it was made in the
8 heat of the moment. I don't believe it was really
9 meant, but I do sincerely appreciate the opportunity
10 that you have given as members of this Board to the
11 City of London to make its presentation. I also
12 appreciate very much the concerns of the residents
13 of the Township of Westminster and, if any suggestions
14 have been made by the township residents which have not
15 been reacted to by the city in the course of the
16 evidence going in on ways that have been used to
17 hammer out improvements to what we have proposed
18 and doubtless the Board may wish and probably welcome
19 if they do give approval, to give effect to all of
20 those and perhaps many more.

21 Mr. Chairman, there seems to be a
22 lack of faith on the part of the residents who have
23 come here to some extent. I can't blame them in
24 a way. Let's face it. We are living under the
25 rule of law here in Canada, particularly in Ontario
26 where we have very refined laws to do with environ-
27 ment. It seems to me that if there are concerns, if
28 this application is granted and this landfill site is
29 put into effect, there are areas of protection, Mr.
30 Chairman, dating back centuries in the common law. I'm



1 thinking of the case of Robbins and Fletcher which
2 established the original principle of law that the
3 escape of leachate or some other substance of a
4 dangerous or noxious character from the property to that^{of}
5 other people is an item which is actionable in the
6 courts with or without statute law, with or without
7 regulations and with or without a standard of
8 operation such as the City of London has talked
9 about here and will be exacted of it by the Waste
10 Management Branch itself.

11 So there are protections in the law.
12 I would like people to know that, to know that there
13 is some province, if they are prepared to live with
14 the system we have, this law has evolved over many
15 centuries as I have said and in more recent years
16 has become an active hive for activity, in all
17 modern day societies and particularly in the
18 Province of Ontario.

19 In the light of that kind of pro-
20 tection plus what we have tried to present here by
21 way of technical evidence to back up what we are
22 trying to achieve, I ask the residents to view this
23 application. In addition, I would like them to
24 consider the matter as more than one -- being a
25 problem of the City of London itself. It is a
26 regional problem and with great respect, Mr. Chairman,
27 to the residents themselves, their council, their
28 township has the same problems. They are disposing
29 of their waste in another area. We have heard,
30 reluctantly I think, from the Reeve as to where that



1 is going. We ultimately found that out. I don't
2 want to belabour that point. I don't think it is
3 a constructive point to belabour. We were told we
4 should come into the Township of Westminster and
5 that is the only reason why I have been forced to
6 raise that question.

7 In addition, we have the township
8 politicians coming forth and I had, of course, to
9 reply with the chief of our city, the chief magistrate,
10 Her Worship the Mayor. I wasn't planning on that,
11 Mr. Chairman. Frankly, I had hoped that this would
12 be a discussion related to technical matters. I'm
13 not regretful that it happened in retrospect because
14 I think it has enlarged somewhat the original scope
15 of this hearing from that of a technical nature to
16 viewing the subject as a whole. I think that is
17 good and I think it goes back to my original state-
18 ment that it is a democratic process and I agree
19 with the Chairman's policy of making it an open
20 meeting and hearing whoever wants to speak. I don't
21 think we as a city or the township residents should
22 go away from this meeting without having felt at
23 least this much: win, lose or draw, we have had a
24 fair hearing.

25 I really don't want to get into the
26 evidence in detail, Mr. Chairman. We don't have time.
27 I submit that there have been improvements as we go
28 along and I would ask you to consider that in the
29 light of the original application and make whatsoever
30 amendments you wish, naturally. If you incorporate



1 such valuable suggestions as the one, for example,
2 of the location within the city's boundaries of
3 drop-off points or collection points where the
4 public generally within the city could travel
5 instead of travelling to this site with small quantities
6 of waste, that makes sense. It saves money and it
7 saves having to, for example, widen Wellington
8 Road perhaps. It saves other things and in due
9 course I think we welcome that kind of suggestion
10 and there are a number like that.

11 Mr. Chairman, I think the contest
12 here, if I may say so, is one between clean water
13 and agricultural land. It is as simple as that.
14 What we are trying to achieve as a city and I think
15 that the whole case of the city has been directed
16 to concern for the farmer and most particularly
17 concern for the water of the farmer, dealing with
18 those aquifers down below the surface. That is the
19 city's thrust in its application here before you.
20 I say that because they have abandoned one site
21 after another in the course of the selection process
22 you have heard about on the ground because of the
23 water contamination potential at that site when
24 investigated would be a high risk/ ^{factor.} Here there is
25 the lowest risk they have found, Mr. Chairman.

26 I must say here again there may be
27 other areas within the County of Middlesex and
28 within a handy distance of the City of London where
29 the depth of impermeable soil could be even deeper
30 than this. God knows where they are. I would like



1 to know. I think we should try to know, but can
2 we be expected as a city to go out and drill every
3 farm or every backwater of the county? I say it is
4 a contest between agricultural land and water
5 because there are other concerns. I'm putting them
6 aside. I'm putting aside things like vermin because
7 that can be controlled by proper measures. I'm
8 putting aside things like fire because that can
9 be controlled. For example, dust, odour, these
10 are things that can be controlled. The point is
11 a loss for the future and one which we cannot really
12 reclaim back is the loss of a major water aquifer
13 and the loss resulting from, for example, the location
14 of this kind of fill use in a gravel pit area where
15 a membrane is used of some kind with the potential
16 for a puncture and the loss of the leachate into
17 the water table either below or in some adjoining
18 stream and then from there into the lakes.

19 It is a contest between agricultural
20 land which I appreciate the arguments are there,
21 Mr. Chairman, to support all of the statements that
22 have been made in respect of agricultural land. I
23 don't deny them. On the other hand, what is more
24 important -- we have found a site that is apt, it
25 has the kind of protection against water which is
26 needed. It is at the very top of the watershed
27 between two river systems, ideally suited from that
28 point of view. It is not down from the watershed.
29 It is not near the river, it is not near a pond
30 or marsh area and for these reasons, Mr. Chairman,



1 | our most valuable asset that we are trying to
2 | protect against, which is water, is taking effect.
3 | In the course of this we are unfortunately dis-
4 | rupting agricultural use to a limited degree. I
5 | say that is unfortunate. I agree with the arguments
6 | about that. I can't deny that. We are trying to
7 | put this agricultural use back. Again it won't be
8 | the same quality that was there when we started.
9 | We admit this, but we are trying the best we can.

10 | Now, Mr. Chairman, coming to the
11 | question of costs, I put this to you that \$10
12 | million of capital expenditure in the City of London
13 | is an impossible burden for one city of this size
14 | to undertake having regard to its existing limits.
15 | It is simply impossible. Either we continue with
16 | this landfill method, or senior levels of government
17 | have to foot the bill. It is one or the other.
18 | Until we have the other, we continue with landfill
19 | and that is a simple answer to that whole question.
20 | I am not being critical of the Provincial Government
21 | in saying that because I don't think they have
22 | confidence enough in one new idea or system yet.
23 | They are studying these systems. They are behaving
24 | responsibly in this regard and they are not going
25 | to expend vast amounts of money without the study,
26 | the knowledge that what they are about to spend it
27 | on will work and will work effectively. That same
28 | picture reflects itself in the affairs of the City
29 | of London. The City of London, being even smaller
30 | with less resources than the Provincial Government,



1 is in the same position. Landfill is here to stay,
2 Mr. Chairman, whether we like it or not. That is
3 the evidence. Landfill of the kind we are about
4 to embark on here, I hope, is not here forever. I say
5 I hope.

6 I hope there will be these changes
7 in the systems and I hope the senior levels of
8 government with their task force and so on will
9 produce ways and means to this, but we have to
10 come to this thing one stage at a time. Our friends
11 from the township who are concerned and rightly so, but
12 don't take into account the time that goes into these
13 matters. One cannot change governmental policy over
14 night. As you well know, Mr. Chairman, it can't be
15 done over night, but it can be done quickly and I
16 hope that what will come out of this meeting will
17 be some further feeling on the part of our senior
18 levels of government that they should push this
19 even faster than they are now.

20 You have heard from the city, Her
21 Worship The Mayor herself expressing her opinion
22 that the city and indeed her commitment, her personal
23 commitment that the city will and has already em-
24 barked upon studies leading to the introduction of
25 better methods, all of them, however, requiring a
26 landfill site.

27 We have also heard, Mr. Chairman,
28 about the time limitation with which the city is
29 confronted. I will remind you that the evidence
30 was that on the 1st of February or thereabouts, 1975,



1 this city runs out of a place to dispose of its
2 solid waste. This is not without many years of study
3 going into the whole subject/^{by}the city to arrive at
4 the point we are at now. It is not as if they came
5 in here asking for it over night. They took the
6 matter under study and, I submit, this city has
7 acted responsibly, it has acted in a way whereby it
8 has acted on proper advice, engineering advice and
9 planning advice, advice of all kinds, of the kind
10 you have heard here today and all week.

11 I submit for all these reasons that
12 this application should be granted.

13 THE CHAIRMAN: Thank you.

14 ARGUMENT BY MR. WRIGHT:

15 MR. WRIGHT: Mr. Chairman, and members
16 of the Board, I submit to you that if you find, and
17 of course this is without in any ^{way} / limiting or
18 without any way -- without limiting or taking away
19 from the argument I will be subsequently making,
20 but if you possibly recommend a certificate to the
21 Executive Director, it should be only on the
22 conditions, the recommendation should clearly set
23 out, I submit, that the undertakings of the city
24 should be attached to and made conditions of the
25 certificate. Without going into the detail of
26 those undertakings, they will all clearly appear
27 on the record. They relate to, among other things,
28 fencing around the site, netting to catch the paper,
29 at least daily monitoring of water run-off and
30 other well water, all of the matters with respect to



1 road construction and improvement to be done all
2 at the city's cost and except for certain items
3 with respect to lighting, all before the commence-
4 ment of work at the site.

5 There is also the understanding
6 with respect to potable water for humans and cattle
7 which might be affected.

8 There is also the undertaking with
9 respect to containers at the in-city sites and so
10 far as I remember those are the undertakings. There
11 may be more which we might find as we go through
12 and there may be other conditions you may see fit to
13 impose or not impose which are germane.

14 The certificate itself, I submit,
15 should not be granted in this case and I would submit
16 that in your recommendations to the Executive
17 Director that when you report to him, the city has
18 not adequately prepared its case for presentation to
19 the citizens or to you. There has been a great deal
20 of information presented before this Board based on
21 the MacLaren report. However, I must point out this
22 MacLaren report which investigated 46 possible sites,
23 did not turn up one. The recommendation of W-12A
24 is based primarily on testing of sub-soil conditions
25 with very little consideration given to very few,
26 if any, other matters. Granted, sub-soil conditions
27 are very important, but I submit, that the sub-soil
28 tests are not adequate for the purposes required
29 in this situation. There is a need for further boring,
30 further bore holes in the area where the operation is



1 going to take place to confirm the consistency
2 as they are
3 of the soil/suggesting that it is. We have evidence
4 that there is sand in this area, but we have no
5 information as to how deep it goes. We have only
6 speculation. These bore holes don't have to be as
7 deep as the present ones. Twenty-five feet below
8 the proposed base of the excavation would be
9 sufficient. I do not feel that the city -- I submit
10 to you that the city has not thoroughly investigated
11 the sub-soil here and they are risking 30 billion
gallons of water.

12 I note also the failure to notify
13 the Kettle Creek Conservation Authority. This was
14 explained and passed off as an administrative over-
15 sight, but perhaps that is also an indication of
16 the kind of competence of the people who are pro-
17 posing to run this site. I would also point to the
18 conspicuous absence of any approval from the
19 Medical Officer of Health in this connection. We
20 have a number of letters put in approving this
21 site, but not one from the Health Department.

22 There are other matters which leave
23 much to be desired in the MacLaren report, the
24 matter of two weeks of truck weighing to get an
25 idea of volumes and subsequently we learned from Mr.
26 Robertson that these figures are way off and even
27 Mr. Morris admits that these figures don't accurately
28 reflect the actual volumes. I wonder how many
29 other assumptions based on short studies are also
30 erroneous.



1 The leachate drains is another
2 matter which I think has been seriously overlooked
3 here. The MacLaren report as interpreted here
4 at this hearing indicates that there is going to be
5 eight feet of leachate saturated garbage in the
6 bottom of this pit forever until it drains. That,
7 Mr. Chairman, I submit is an unacceptable statement.
8 That should be clear and until further reports in
9 that connection are ascertained, this certificate
10 should not be granted. Dealing now with the traffic
11 report, Mr. Morley came in here and gave us
12 a bunch of figures based on his marvelous procedures,
13 but was forced to change his mind based on his own
14 figures and findings in his own areas. I don't
15 think the city has any idea what kind of traffic
16 problem they are going to create out in this area
17 and it wasn't until we heard from the people who
18 actually drive these roads that even I got the idea
19 of the kind of problems that are going to be created
20 in terms of traffic. The answer to all evils is,
21 "We are going to turn farmland back into farmland."

22 Professor Webber, while a great
23 teacher and experimenter par excellence, is not a
24 farmer himself. He conceived his idea on a month's
25 notice from the 1st of May -- roughly in May, 1973
26 that he perceived this idea. He has no empirical
27 data to support the theories at all. He readily
28 admits that it will be an experiment. There were
29 many technical objections which were raised while
30 he was here, the most notable of which is the fact



1 that there are going to be stand pipes out of the
2 ground every 200 yards in all directions. He
3 admitted and it is obvious that no kind of farm
4 equipment is going to be used on this kind of land.

5 He was also asked about pasturing
6 and he admitted he didn't know very much about
7 pasturing. I wonder if anybody in the city knows
8 very much about trying to raise livestock on the
9 kind of proposed site?

10 As far as any kind of biological
11 studies are concerned, Mr. Morris advised us that
12 he didn't feel it was necessary. The ecology of
13 this whole surrounding area, Mr. Morris did not
14 feel any kind of study in this connection was
15 necessary. His whole proposal is based on two major
16 hypothesis: one, clay soil is going to protect the
17 soil from run-off and is going to be returned to
18 farm use. I submit to you that neither of these has
19 been adequately demonstrated to us here. Until the
20 city has adequately demonstrated both of those
21 things, I submit that your report to the Executive
22 Director should be a report against the proposal.

23 My second ground for suggesting and
24 submitting to you that this proposal should be re-
25 jected and your report to the Executive Director
26 should recommend rejection is simply and for no
27 other reason than that you are taking out of use over
28 400 acres of prime farmland. Even if the city had
29 proven its case completely 100% to our satisfaction,
30 taking out of use 400 acres of farmland is intolerable



1 and criminal.

2 Now, we have proposed and submitted
3 that there are other methods available. We are not
4 in a position to give expert testimony as to costs,
5 but we have a statement of the City's Engineer that
6 it is going to cost an additional \$24 per year per
7 family of four in the City of London. However those
8 figures may be frowned upon by financial people, I
9 care not. The figure stands and that is the cost
10 and that is the sacrifice. For that sacrifice we
11 are going to avoid the following: a substantial
12 reduction in the leachate problem, a substantial
13 reduction in the amount of land required to be used
14 to dispose of whatever it may be in residue. There
15 is going to be little or no noise. The traffic is
16 going to be confined to a commercial area, as it
17 should be. The appearance is going to be aesthetically
18 acceptable. There is going to be little or no blowing
19 paper, little or no dust because the pavement is all
20 the way in and all the way out. There will be no
21 rodents, flies, insects of other sorts. No poisonous
22 gases, no odour, no loss of production of farmland
23 and no disruption of the ecology of the rural country-
24 side.

25 Mr. Chairman, and members of the
26 Board, I submit to you that your report should
27 indicate that the city has not adequately prepared
28 its case for this site and that it has not adequately
29 considered the alternatives which are available to it.

30 Thank you very much.



1 MR. PLAXTON: I think I have an
2 opportunity now to reply, Mr. Chairman. I am going
3 to be very brief. Maybe one or two minutes.

4 This is a question raised and I
5 would like to deal with it. A question like that
6 is also relevant to the Ontario Municipal Board
7 deliberations, on this matter insofar as if you
8 approve this application and grant this particular
9 application, any by-law that would be required
10 and the Ontario Municipal Board does get involved
11 in looking at things like traffic. I agree this
12 question should be restudied in the light of what
13 we have learned this week at this hearing and in
14 the light of the impact of the traffic on the site
15 which would be generated and could be expected to
16 occur because of the placement of these locations
17 throughout the city.

18 Mr. Chairman, I am informed and this
19 is in evidence that a biologist did in fact review
20 this site on the staff of the MacLaren Company.
21 Beyond that, Mr. Chairman, I have no other comments
22 to make.

23 THE CHAIRMAN: Ladies and gentlemen,
24 I want to thank you for appearing. This has been
25 a very interesting hearing. My colleagues and I
26 have been involved in this type of hearing for 10
27 or 12 years and I want to congratulate both the
28 solicitors for the way they have represented their
29 clients, and the local people who gave us the
30 benefit of their views. We will go over what you have



1 said and go over the transcript with the other
2 members of the Board and we will make a report to
3 the Executive Director. He will take it from there.

4 Thank you very much.

5
6 --- Upon adjourning at 6:55 p.m.

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