

September 10, 2025

BY EMAIL

Client Services and Permissions Branch
Ministry of the Environment, Conservation and Parks
135 St Clair Ave West, 1st Floor
Toronto, ON M4V 1P5

Dear Sir/Madam:

**RE: RICHMOND LANDFILL (TOWN OF GREATER NAPANEE)
ERO NUMBER 019-4955 – PROPOSED HYDRAULIC CONTROL SYSTEM**

Please be advised that I am counsel for the Concerned Citizens' Committee of Tyendinaga & Environs ("CCCTE") in relation to the above-noted matter.

Pursuant to my letter dated August 22, 2025, I am writing to provide CCCTE's supplementary comments on the proposed Hydraulic Control System ("HCS") at the Richmond Landfill, and to clarify or correct some minor items addressed in my previous letter (see Appendix 1 below).

This submission has been filed in accordance with Ministry's commitment to consider any additional comments filed by the CCCTE by September 12, 2025.

Please note, however, that I am still awaiting disclosure of additional documents from the MECP regarding the proposed HCS as per a freedom-of-information request that I filed several months ago. Accordingly, the CCCTE reserves the right to file additional comments upon receipt and review of the requested records once they are provided by the Ministry.

(a) Technical Report by Wilf Ruland, P.Geo dated September 9, 2025

The CCCTE has requested Wilf Ruland, P.Geo, to independently review the current HCS proposal and the proponent's supporting document dated August 13, 2025.

Mr. Ruland's findings, conclusions, and recommendations are set out in his report dated September 9, 2025. This report (and its Attachment A) is appended below.

In summary, Mr. Ruland's report contains the following conclusions about the proposed HCS:

- 1) The 2025 HCS Report which presents WMCC's proposed Hydraulic Control System (HCS) is a problematic document, which is marred by a variety of omissions and deficiencies.**

- 2) The chief concern associated with the HCS proposal is that in essence it involves pumping leachate-impacted groundwater, providing some pre-treatment, and then discharging it to an aerated stormwater pond (SP3) from where it will be allowed to flow off-site unimpeded. There is no provision in the HCS proposal to respond in any way to PWQO exceedences at the downstream site boundary monitoring station (S8R) for any parameter except 1,4-dioxane.
- 3) The proposed granulated activated carbon (GAC) pre-treatment technology is unproven and unlikely to be effective.
- 4) No testing has been done to confirm that GAC pre-treatment would be effective.
- 5) The estimates of SP3 discharge water quality presented in the 2025 HCS Report are based upon flawed calculations.
- 6) The hydraulic testing done to date has not confirmed that pumping of the HCS extraction wells can provide hydraulic containment and cut off the flow of leachate-impacted groundwater to the neighbouring private property to the east.
- 7) While water quality sampling of the leachate-impacted groundwater being pumped from the extraction wells is proposed in the 2025 HCS Report, the proposal is missing provisions that describe what WMCC would do if the extraction well water quality dramatically worsens.
- 8) WMCC has several other viable options available for dealing with the off-site contamination to the east of the landfill property which the HCS proposal is intended to address (page 9, original emphasis).

Accordingly, it remains Mr. Ruland's professional opinion that the Ministry should not approve the current HCS proposal:

- 1) There are numerous problems with the 2025 HCS Report and these problems are so significant that the report and the proposal it supports should under no circumstances be approved by the MECP Approvals Branch. Any such approval should be vigorously challenged by the CCCTE and its allies (page 10, original emphasis).

(b) CCCTE Conclusions about the Proposed HCS

For the various technical reasons outlined by Mr. Ruland's attached report, the CCCTE continues to recommend that the modified HCS proposal should not be approved by the Ministry on the basis of the unpersuasive and incomplete supporting documentation submitted by the proponent to date.

We trust that the CCCTE's comments and Mr. Ruland's technical concerns about the modified HCS proposal will be considered and acted upon by the Ministry by refusing to approve it via ECA

amendments. Please contact the undersigned if you have any questions arising from this submission.

Yours truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION



Richard D. Lindgren
Counsel

cc. Ian Munro, CCCTE Chair
Chief R. Don Maracle, Mohawks of the Bay of Quinte

APPENDIX 1

The following clarifications and corrections are provided in relation to page 6 of CELA's previous letter to the Ministry dated August 22, 2025 regarding the proposed HCS:

- The reference to Appendix A of the proponent's 2025 HCS report should be Appendix B of the proponent's 2022 HCS report
- The reference to the PWQO for 1,4-dioxane should read 0.02 mg/L, as per Appendix B of the proponent's 2022 HCS report
- The reference to predicted 1,4-dioxane levels in the pond are found in main body of the proponent's 2025 HCS report