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THE REGIONAL MUNICIPALITY OF NIAGARA
PUBLIC WORKS AND UTILITIES COMMITTEE

REPORT 17-2003

Minutes of a meeting of the Public Works and Utilities Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Tuesday, September 2, 2003 commencing at 1:40 p.m.

ATTENDANCE

Committee: Councillors Badawey, Chair; Regional Chair Zimmerman; Burroughs, Davidson, Eke, Forster, Harry, Konkle, Redekop, Rigby, Thomson, Trombetta.

Staff: Messrs. Neville, Commissioner, Public Works; Payne, Director, Waste Management Services; Ms. Ralph, Manager, Solid Waste Policy & Planning; Ms. Alexander, Program Manager; Ms. Pilon, Legislative Assistant.

PRESENTATION

349. Final Report – Environmental Assessment
Level Review of Regional Mid-Term
Disposal Alternatives
PWA 109-2003

Ms. Ralph on behalf of the Waste Management Division provided those in attendance with an overview of the Final Report – Environmental Assessment Level Review of Regional Mid-Term Disposal Alternatives, the future direction and the proposed strategy that is to be presented at the September 9, 2003 Public Works and Utilities Committee.

Ms. Ralph noted that staff has prepared a Landfill Disposal Strategy for a seamless transition between the mid-term period and the long-term period, which is included in the memorandum dated August 28, 2003.

Mr. Payne advised the Committee that a new report will be prepared for the September 9, 2003 Public Works and Utilities Committee as report PWA 109-2003 is out of date and Regional Niagara's need and timeframe has change.

DELEGATIONS

350. Line 5 Landfill Public Liaison Committee

Mr. Ed Arnold, Chair of the Line 5 Landfill Public Landfill Committee advised the Committee that the Final Report - Environmental Assessment Level Review of Regional Mid-Term Disposal Alternatives, was distributed and discussed with all three Public Liaison Committees during the month of August 2003.

Mr. Arnold noted the events that lead up to the preparation of the Final Report - Environmental Assessment Level Review of Regional Mid-Term Disposal Alternatives, which began in June 2001, when Regional Niagara approved the report entitled "Disposal Alternatives" that dealt with Regional Niagara's mid-term period of 2007 – 2012, where three facilities were identified (Niagara Road 12, Line 5 and Humberstone), a public consultation program began to obtain input from the public and in June 2002 Regional Niagara released the draft results of the Mid-Term Environmental Study – Final Report.

Regional Niagara since that time has released a Draft of the now Final Report - Environmental Assessment Level Review of Regional Mid-Term Disposal Alternatives, which had participation and input from the Line 5 Public Liaison Committee. The Line 5 Public Liaison Committee supports/initiated the idea that landfill in Regional Niagara is no longer a viable alternative and that the Region should aggressively pursue incineration and other processes as well as diversion projects that includes education, fines and punitive action. The Line 5 Public Liaison Committee hired no outside help; did not utilize Regional funds and held their meetings at Regional facilities or Town facilities.

Mr. Arnold noted that he was rich in doubt at the beginning of the process, however, his doubt and suspicions were alleviated during the process. Mr. Arnold noted that he has renewed doubts about the process following the August 26, 2003 Waste Management Planning Steering Committee meeting and the information that was reported on in the St. Catharines Standard prior to notifying the Public Liaison Committees of the amendments.

The Committee noted that staff must ensure that the Public Liaison Committees are made aware of reports dealing with Waste Management issues are going to Committee and Council

351. Humberstone Public Liaison Committee

Mr. Andre Larabie, Chair of the Humberstone Public Liaison Committee advised Committee that the members of the Public Liaison Committee have learned a great

deal about landfills and did have a NIMBY position in the beginning due to a lack of knowledge, but have discovered that it wasn't about NIMBY but about working to find solutions to their problems with Regional Niagara, the City of Welland and local residents at the same time protecting our environment.

The Humberstone Public Liaison Committee after reviewing the report and being informed of the circumstances surrounding Regional Niagara's decision to name Humberstone Landfill Site as the preferred site retained Professor Hostovsky, as the Peer Reviewer for the Humberstone Public Liaison Committee. The Committee were still not convinced that Humberstone Landfill was the right choice, however, they were more informed as to why the decision was made and better able to address the issue.

Mr. Larabie advised the Committee that the Public Liaison Committee is now aware of how a Landfill site is operated and of how complicated it can be to manage. The Public Liaison Committee, as a result is requesting that Regional Niagara allow the Public Liaison Committee the opportunity to meet on a regular basis to review the operation of the Humberstone Landfill Site and participate in the Environmental Assessment.

352. Peer Reviewer - Humberstone Public Liaison Committee

Professor Chuck Hostovsky, Peer Reviewer for the Humberstone Public Liaison Committee advised the Committee that he was hired by the Humberstone Public Liaison Committee as a neutral, third party individual and that his views do not represent the views of any other organization, university or consulting firm that he may be associated with; and that he was not hired to fight Regional Niagara or to stop the expansion of the Humberstone Landfill Site.

Professor Hostovsky advised the Committee that he appreciated the opportunity for the public to voice their concerns in this venue and that overall the report is well written and was thoroughly researched, he however, would of liked to have seen a Professional Facilitator hired for the public consultation process. The reports weaknesses are that the highly qualitative evaluation method used for the "multi-criteria decision making" components of the planning process are subject to too much professional interpretation. Timing issues during the public consultation process with public input and under-representation from Welland citizens and the balancing the perspectives of potentially affected communities and Welland residents were late and under-represented, which resulted in potential bias in the selection and weighting of the relative importance of evaluation criteria.

Professor Hostovsky advised the Committee that the Ministry of the Environment should be lobbied to bring back the Ministry of the Environment Interim Expansion Policy (Environmental Assessment exemption if Environmental Assessment planning) in the short-term and in the long-term, as a community should not be subjected to a full Environmental Assessment for a meager five years of capacity at an existing site.

353. City of Welland

Mr. Dave Shantz, City Engineer, City of Welland advised the Committee that the City of Welland took the step in hiring a consultant to review the Final Report - Environmental Assessment Level Review of Regional Mid-Term Disposal Alternatives, for the residents of the City of Welland and due to the manner in which the operation is being managed at the present time.

Mr. Shantz noted that the Humberstone Landfill Site is servicing 50% of Regional Niagara with that percentage expected to increase in future years. A local park adjacent to the facility has an open air swimming pool, which requires daily cleaning due to the garbage that is dropped into the pool by birds and site concerns with the current operator, that includes the lack of daily cover and bird control.

Mr. Lyle Parsons, VP Environment, R.J. Burnside & Associates Limited, consultants for the City of Welland provided the Committee with a presentation that summarized their team's review of the Final Report - Environmental Assessment Level Review of Regional Mid-Term Disposal Alternatives as well as Miller Thomson's position, a legal firm that specializes in Environmental law.

Mr. Parsons noted that there is an insufficient need or rationale for a mid-term solution and that if the Region proceeds, the City of Welland will require that Regional Niagara undertake an Environmental Assessment that meets all of the requirements of Section 6.1 (2) of the Environmental Assessment Act.

Mr. Payne advised the Committee that the public's concerns have been forwarded by the Public Liaison Committee to the Region and that all of the concerns have been dealt with. Regional Niagara did have to discontinue bird control at the site due to budget constraints; however, the cost for bird control has been included in the 2004 budget. Regional Niagara did address the traffic issue at the site (line ups) through \$1.5 million in improvements that included new scales and an office.

Councillor Redekop noted that Regional Niagara should be addressing these issues, if this site is to be in operation for some time in the future.

Councillor Forster noted that some improvement in visual aesthetics is required at the site, to conceal the facility from the public's view.

354. Humberstone Landfill Site Public Concerns Group

Ms. Yvette Ward appeared before the Committee on behalf of the Humberstone Landfill Site Public Concerns Group to advise the Committee of the current state of

the surrounding areas of the Humberstone Landfill Site and to oppose any increase in the height or the amount of waste deposited at the Humberstone Landfill Site.

The Humberstone Landfill Site Public Concerns Group feels that any increase to the height of the amount of waste would have a negative impact on the quality of life for the residents that live in close proximity to the landfill site.

Ms. Ward noted that when she worked at the pool in the area, several years ago, there was a forest of trees that surrounded the landfill site, which screened the landfill site from view, which is not the case now, the trees are almost all gone and the facility can be seen from the pool.

Mr. Payne advised the Committee that most of the trees were removed during the construction of the leachate collection system and that staff is committed to increase the number of trees in the area.

355. Concerned Citizens of West Lincoln

Ms. Magdalene Boilard, President and Mr. Allard Collyn, Vice President of the Concerned Citizens of West Lincoln appeared before the Committee to address the Mid-Term Study as it relates to the transfer site in Smithville.

The Committee was advised that the Concerned Citizens of West Lincoln feel that Regional Niagara's waste studies should include and consider the private sector to illustrate an accurate account of the impacts on Regional Niagara.

The Committee was advised of the adverse affects the transfer site has on Smithville, the traffic, the dust and the odors, which will only amplify if they are allowed to increase their tonnage per day from 300 to 900, as proposed.

The Committee was advised that the bulk of materials being generated for the London Road transfer site consist of commercial/industrial waste with only a very small percentage (100 tonnes per year) of Regional Niagara's white goods. None of the Industrial/Commercial material is generated from Niagara Regional contracts.

Regional Niagara is a commenting agency for the Ministry of the Environment, when an Environmental Assessment application is submitted in Regional Niagara, and staff will at that time take the opportunity to comment on the concerns that have been raised.

Councillor Trombetta advised the Committee that Modern Landfill Inc., has not submitted their application to increase their CofA from their current maximum tonnes per day from 300 to 900.

Councillor Forster suggested the formation of a Committee that includes members from all of the Public Liaison Committees, which would allow the individual Public

Liaison Committees to voice their concerns and give staff the ability to address those concerns as they arise throughout the Environmental Assessment process.

The Committee was advised that copies of the presentations will accompany the minutes, which will be distributed to the Public Works and Utilities Committee members and all members of Regional Council.

Regional Chair Zimmerman advised the Committee that Regional Council at the July 17, 2003, received Report PWA 109-2003, with direction to staff and the consultants to prepare a strategy to address the Environmental Assessment Act approval process.

Councillor Forster advised the Committee that the information requested by the City of Welland has not been received, however, staff has made a commitment to meet with the consultant and the City of Welland respecting the information that was requested.

Moved by Councillor Rigby
Seconded by Regional Chair Zimmerman

That the September 2, 2003 presentations on the Final Report – Environmental Assessment Level Review of Regional Mid-Term Disposal Alternatives be received and referred to the Public Works and Utilities Committee meeting on September 9, 2003.

Carried.

Councillor Badawey, on behalf of the Committee thanked all of the presenters for their comments, noting that all members Regional Council will receive copies of their presentations, which will be considered with the report being presented at the September 9, 2003 Public Works and Utilities Committee and at Regional Council on September 18, 2003.

ADJOURNMENT

The Committee adjourned at 3:40 p.m., to meet again in Committee Room 4 on September 9, 2003 at 1:30 p.m.

Vance Badawey
Chair

Janet Pilon
Legislative Assistant

PW 17-2003
September 2, 2003

Thomas R. Hollick
Regional Clerk