

APPENDIX H

Consultation Record

TECHNICAL MEMORANDUM**DATE** January 27, 2020**Project No.** 18111331/3000**TO** Cathy Smith
Waste Connections of Canada**CC** Trish Edmond, Fabiano Gondim**FROM** Paul Smolkin**EMAIL** psmolkin@golder.com**PROPOSED MEETING AGENDA, PRE-APPLICATION CONSULTATION FOR ECA AMENDMENT APPLICATION, RIDGE LANDFILL EXPANSION**

Following is a proposed agenda for a pre-application consultation meeting with MECP (EA and ECA Approvals, Tech Support staff) for the ECA amendment applications to implement the Ridge Landfill expansion.

- 1) Introductions
- 2) Ridge LF expansion EA – Background, Status and Schedule
- 3) Why WCC proposes to proceed with preparation of the ECA amendment applications prior to EA approval
- 4) Confirm ECA amendment application approach, i.e., separate applications for Part 5 EPA (Waste); Part 9 EPA (Air), OWRA Section 53 (stormwater management)
- 5) Planning Approval requirements and status – request for MECP to proceed with review of ECA applications prior to rezoning being in place
- 6) Discuss need for Technical Support (hydrogeology, surface water, air) review and approval prior to ECA amendment application submission
- 7) Confirm ECA amendment application consultation requirements
- 8) Confirm supporting document requirements for ECA applications
- 9) Proposed schedule for ECA amendment applications relative to EA approval and desired construction schedule
- 10) Request for expedited review
- 11) Request to submit detailed design for the “Works” associated with implementing Phase 1 of the landfill expansion during ECA amendment application review period, for approval at same time or soon after ECA amendments issued
- 12) Other

PAS/

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**Waste Connections of Canada
Ridge Landfill Expansion**

**Monday, February 24, 2020
1:00 pm – 2:00pm
Toronto, Ontario
Ministry of the Environment and
Climate Change**

In Attendance:

Name	Ref.	Organization	Email
Carolyn Lee	CL	MECP, EA Branch	Carolyn.Lee@ontario.ca
Mohsen Keyvani	MK	MECP, Environmental Permissions Branch-Manager Waste Approvals	Mohsen.Keyvani@ontario.ca
Rick Li	RL	MECP, Environmental Permissions Branch - Waste Approvals	Rick.Li@ontario.ca
Andrew Evers	AE	MECP, EA Branch	Andrew.Evers@ontario.ca
Mark Harris (by phone)	MH	MECP SW Region Tech Support - Hydrogeology	Mark.Harris@ontario.ca
Alison Munro (by phone)	AM	MECP SW Region Tech Support - Surface Water	Alison.Munro@ontario.ca
Peter Rehbein (by phone)	PR	MECP SW Region Tech Support - Air	Peter.Rehbein@ontario.ca
Cathy Smith	CS	Waste Connections (WCC)	Catherine.Smith@wasteconnections.com
Brian Forrestal (by phone)	BF	Waste Connections	Brian.Forrestal@wasteconnections.com
Chris Visser (by phone)	CV	Waste Connections	Chris.Visser@wasteconnections.com
Trish Edmond	TE	Golder	tedmond@golder.com
Fabiano Gondim	FG	Golder	fgondim@golder.com
Paul Smolkin (by phone)	PS	Golder	psmolkin@golder.com

AGENDA ITEMS

Note: Reference codes of persons responsible for the Action Items are shown in ***bold italics*** at the end of each item.

Item 1 – Introductions**Items 2 and 3 – Purpose of February 24, 2020 Meeting; Background and Proposed ECA Amendment Application Submission**

- Purpose was to formally pre-consult with the MECP and discuss the requirements and proposed schedule for submission and MECP review of ECA amendment applications for the Ridge Landfill Expansion.
- Final EA was submitted and circulated for comments on January 24, 2020, with the comment period closing March 13, 2020.
- It is estimated that the Ridge LF will reach its currently approved capacity in spring 2021. In view of the limited time available for the typical sequence of events [EA approval; ECA amendment application preparation, submission, MECP review and ECA issuance; detailed design for MECP review and approval; and construction of works associated with the initial phase of the expanded landfill], to be able to provide continued disposal services, WCC has proceeded at their risk with the preparation of the ECA amendment applications and supporting documents and detailed design for the first phase of the Old Landfill expansion. WCC proposes to submit the ECA applications and detailed design for MECP review in advance of receiving the Minister's approval of the EA. To be able to provide expansion airspace for continued landfilling, construction work has to commence in fall 2020 to be available for early winter to allow for a few months capacity buffer.
- For the above reasons, WCC proposes to submit the ECA amendment applications in mid-March 2020 soon after the EA comment period ends, with a request for MECP priority review and issuance of the ECA amendments in mid-September 2020.
- It was noted by MECP, and acknowledged by WCC, that the MECP cannot issue ECA amendments in advance of the Minister's approval of the EA. Also, MECP noted that: 1) there is precedence in specific cases for MECP reviewing ECA applications in advance of EA approval; and, 2) there may be EA conditions of approval that affect the ECA amendment applications. In regard to 2, if this situation arises, WCC proposes to prepare and submit supplementary addenda to the ECA applications.

Item 4 – ECA Amendment Applications

- Golder proposed that three separate ECA amendment applications be submitted: Part V EPA (Waste), Section 9 EPA (Air) and Section 53 OWRA (Stormwater management).
- MECP indicated their agreement with this approach.
- Golder asked if the MECP would have the same reviewers on the ECA amendment applications as on the EA. MECP advised that Rick Li is expected to continue on for the Waste ECA. The MECP cannot confirm if we will have the same reviewer for OWRA ECA, but generally speaking this is the norm unless that person is unavailable. Air portions of the Approvals Branch have not been involved in the EA but would become responsible for that ECA amendment application review. During the EA, MECP review of the air aspect was provided by the Regional Technical Support (PR).

Item 5 – Status of Municipal Planning Approvals

- Amendments to Chatham-Kent OP and zoning are required for the Ridge Landfill expansion.
- The municipal planning approvals process is well advanced; draft Planning Justification Report submitted fall 2019; final revised to be submitted shortly and readings of the proposed amendments and mandatory public meeting are scheduled for latter part of April 2020. Chatham-Kent will notify adjoining property owners within 1 km of Ridge site, consistent with the EA consultation process which exceeds the *Planning Act* requirement of 120 meters. These notifications will include both the notice of completion of the Planning Justification Report and notice of public meeting. Notice will occur approximately 30 days in advance of the public meeting also exceeding the *Planning Act* requirement of 20 days.
- Expected that planning approvals will be in place well in advance of ECA amendment approvals.
- The ECA submission guidelines require the zoning to be in place prior to the application submission. MECP advised that in this case the 'zoning in place' item in the application form should be indicated as 'yes' with an explanation of the above and a note (for the application screener) that this has been discussed with Environmental Permissions Branch during pre-application consultation and they have agreed to proceed with the application review. **[Golder/WCC]**

Item 6 – Technical Support Pre-review and Approvals prior to ECA Application Submission

- The ECA submission guidelines require specific items to be pre-reviewed and approved by MECP Technical Support, and this documentation included in the ECA application submitted to Environmental Permissions Branch.
- Golder proposed that the ECA application supporting documentation will not include the same hydrogeology report as was submitted with the final EA, since it is just in the process of being reviewed by Technical Support and any comments will be addressed in responses to comments on the EA. **[MH to check the hydrogeology report to confirm that it contains the required ECA level of detail, i.e., groundwater monitoring program, and advise WCC]**

- Related to the OWRA ECA amendment application, proposed SWM pond discharge objectives are being prepared for inclusion in the application. This has not been previously reviewed by MECP Technical Support. **[Golder to submit this document to MECP (to CL who will provide to AM) as soon as possible; AM will advise as to her timing for review; her pre-review is intended to fit into the overall OWRA ECA amendment application review]**
- Golder advised, and MECP agreed, that there are no air-related items requiring pre-review.

Item 7 – ECA Consultation Requirements

- It was agreed that for this expansion, since the ECA application process is occurring immediately following the EA process, the typical ECA consultation requirements have been covered by the EA consultation process.
- MECP advised that for this expansion there will not be a need to post the ECA applications on the EBR. This will be reflected in the application. It was however noted by MECP that the MECP can mandate an EBR posting in some cases.
- MECP require WCC to clearly communicate with stakeholders and be completely transparent that WCC has decided to proceed at their own risk with submission of ECA amendment applications for MECP review prior to receiving EA approval, i.e., the approval of the EA cannot be taken for granted.
- WCC are to notify neighbouring property owners, FN communities, the LLC, the municipality and other interested stakeholders (but not including GRT) regarding the submission of ECA amendment applications in advance of EA approval. **[WCC to provide MECP with the notification letter and list of those notified when the ECA applications are submitted]**
- The notification to neighbours and interested stakeholders shall request that any comments or questions be directed to the MECP.
- MECP to check on the letter of notification provided by another proponent in a similar situation and provide to WCC as an example. **[AE/CL to provide to WCC]**

Item 8 – Supporting Technical Documents for ECA Amendment Applications

- In addition to the standard documents to accompany ECA and OWRA applications, Golder propose to submit the following supporting technical documents:
 - Waste ECA application – updated D&O report, Financial Assurance, the same hydrogeology report as submitted with the EA if required by MECP **[MH to advise]**, detailed design submission for the first cell of the expansion.
 - Air ECA application – ESDM and AAR. MECP advised that this application will be provided to Air Approvals; PR of Technical Support does not typically get involved in ECA application review.
 - OWRA Section 53 application – SWM Design Brief, including proposed pond discharge objectives, and SWM Detailed Design Drawing Set. MECP advised that this application will be provided to OWRA Approvals.



- CL and AE will advise Air Approvals and OWRA (Industrial Wastewater) Approvals of this pre-application consultation meeting and provide them with the meeting summary and the request for priority review **[CL/AE]**. {Post-meeting note: as required, WCC are willing to meet / speak with the Air and OWRA reviewers to discuss the Ridge expansion project, the reasons for priority review and the ECA amendment applications}

Item 9 – Proposed Schedule

- WCC proposes to submit the ECA amendment applications in mid-March 2020 soon after the EA comment period ends, with a request for MECP priority review and issuance of the ECA amendments in mid-September 2020.

Item 10 – Request for ECA Amendment Application Review to be Prioritized by MECP

- MECP advised that WCC need to submit a request for priority review with the rationale as to why priority review should be given by MECP to review and issuance of the expansion ECA amendment applications and the consequences if this is not provided. A letter requesting priority review will be sent to MK and cc:d to CL and AE and will be included in the ECA amendment applications. **[WCC/Golder]**

Item 11 – Submission of Detailed Design for the Works associated with Implementing Phase 1 of the Expansion

- Because of the schedule requirements, WCC proposes to also submit the detailed design of the proposed Works for the first cell of the Old Landfill expansion for review and approval by MECP prior to construction as required by the current ECA. This will be submitted with or very shortly after submission of the ECA amendment applications.
- MECP indicated their agreement to review this detailed design submission along with the Waste ECA amendment application, with the understanding that the detailed design may be impacted if the design concept is revised during MECP review.

Item 12 – Other

- MECP requested that when WCC receives comments on the final EA, they provide responses promptly and where required incorporate them into the ECA applications. This will facilitate advancing both the EA and ECA approvals processes. **[WCC]**
- In view of the priority review, MECP will request WCC to assist them with distribution of MECP's review of the EA. WCC indicated their willingness to assist; this will be further discussed in future. **[MECP/WCC]**
- Meeting summary to be prepared and distributed. **[Golder/WCC]**



March X, 2020

IC/Org

**RE: Ridge Landfill Expansion
Applications for Amendment to Environmental Compliance Approvals**

Dear (XXXXX)

Waste Connections submitted an Individual Environmental Assessment (EA) on January 24th, 2020 to the Ministry of Environment, Conservation and Parks (MECP) for the proposed expansion of the Ridge Landfill. Waste Connections is awaiting the Minister’s decision on the EA.

In addition to the required EA approval Waste Connections needs MECP approval to amend its existing Environmental Compliance Approvals (ECAs). These are the operating permits that describe how the facility is run and MECP’s detailed expectations and requirements related to the ongoing operation of the site.

The existing Ridge Landfill is projected to reach capacity early in 2021. In order for Waste Connections to ensure uninterrupted disposal service to Chatham-Kent and to the IC&I sector they have submitted the required ECA amendment application forms to the MECP.

While Waste Connections has submitted its ECA applications prior to receiving EA approval the MECP will not make a decision on the ECAs until after the Minister makes a decision on the EA.

For further information, please don’t hesitate to reach out to me at 705-746-0638 or by email at JBeaucage@counselpa.com or to Cathy Smith, Waste Connections Project Manager at 519-358-2860 or via email at catherine.smith@wasteconnections.com.

Should you have any comments regarding the ECA applications, please submit in writing to:

Manager, Waste Approvals, Environmental Permissions Branch, Ministry of the Environment, Conservation and Parks, 135 St Clair Ave West, Toronto ON, M4V 1P5

Yours truly,

John Beaucage, Principal

cc: Cathy Smith, Project Manager – Ridge Landfill Expansion, Waste Connections of Canada

March X, 2020

Stakeholder



**RE: Ridge Landfill Expansion
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Yours truly,

Cathy Smith H.B.A, M.A., ENV SP

Project Manager – Ridge Landfill Expansion

Waste Connections of Canada