



September 26, 2016

Mayor Eisenberger and Councillors
Hamilton City Council
71 Main St W,
Hamilton, ON L8P 4Y5

RE: Planning Committee Report 16-016 Item 8.1 respecting Terrapure Stoney Creek Regional Facility Environmental Assessment (EA) – Draft Proposed Terms of Reference (PED16184)

Mayor Eisenberger and Councillors,

In response to tremendous market demand and a strong economy, Terrapure has started a formal process to reconfigure its Stoney Creek Regional Facility (SCRF) to ensure that we can continue to meet the environmental needs of local industry and infrastructure development.

This proposed reconfiguration is subject to a full Individual Environmental Assessment (EA) through the Ontario Ministry of the Environment and Climate Change, where all stakeholder and public comments and concerns will be considered and addressed.

To date we have communicated with local residents through newspaper ads, distributing over 11,000 flyers to surrounding residences, a public open house and individual meetings. We will continue to make all information on the proposed changes readily available to the community as we go through this process.

Terrapure is in the early stages of the EA, currently drafting the Terms of Reference – step one of a two-step process. During the September 20, 2016 Planning Committee meeting to discuss the City's comments regarding the Terms of Reference, there were some questions raised about the proximity of a new residential sub-division to the SCRF, as well as the proposed return to the original 1996 footprint.

Hamilton City Council and staff should be congratulated for exercising proper due diligence in 2010, when they required a peer reviewed Landfill Impact Assessment to be completed before approving any new plans of subdivisions on the lands north of Green Mountain Road West. Both the Landfill Impact Assessment (conducted by MTE Consulting) and the Peer Review (conducted by AMEC Earth & Environmental) confirmed that there was **no need for any mitigations on the Empire Developments lands as a result of the ongoing operations at the SCRF**. The only mitigation measure put forward by MTE Consulting was with respect to the un-engineered closed west quarry landfill. Given that the peer reviewed Landfill Impact Assessment demonstrated no concerns related to the operating landfill liner, the mitigation measure imposed on Empire (i.e. 1 m of clay around basement foundations) was applied from the operating SCRF landfill as a conservative redundancy.

While we acknowledge that there was previously a 160m holding provision related to quarry rehabilitation, which was subsequently lifted, as well as two conditions related to a neighbouring satellite operation, it is important to note that the Landfill Impact Assessment and Peer Review were conducted based on the original 1996 approved SCRF landfill footprint, which had a 30m setback from the operating SCRF fill area to the company's property line.



After assessing all potential impacts of the operating landfill within the original licensed footprint, MTE Consulting concluded, **“As a result, matters pertaining to the Newalta landfill [note: now SCRF] have been properly addressed and residential development of the proponent lands could proceed.”** Again, this decision was made based on the same setback (30m) as is currently contemplated under Terrapure’s proposed reconfiguration of the site.

Further, in response to questions raised in 2012 regarding potential impacts of the operating SCRF, the Hamilton Associate Medical Officer of Health confirmed to the SCRF Community Liaison Committee and the Ward 9 Councillor, **“There is no evidence to suggest either air or leachate quality, as determined by on-site monitoring at the Newalta Hamilton Landfill, pose an adverse level of risk to the surrounding community.”** This continues to be the case today.

While these reports may be somewhat familiar to most of you, we find it necessary to remind everyone of these conclusions to alleviate any anxieties experienced by you or current or future homeowners.

We are also pleased to inform you that Dr. Kerry Rowe, Professor and the Canada Research Chair in Geotechnical and Geo-Environmental Engineering in the Department of Civil Engineering at Queen’s University, will conduct an independent peer review of the Environmental Assessment, when we reach that stage of the process.

This is the start of a highly consultative and iterative process, for which we will have further opportunities for discussion and input. We look forward to receiving the City’s comments which we will consider when finalizing our Proposed Terms of Reference to be filed with the Minister of Environment and Climate Change.

As always, our staff would be happy to meet with any of you or City staff to discuss any matter regarding our operations or plans.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Jovanovic', with a large, stylized flourish at the end.

Mike Jovanovic, M. Eng., P. Eng.
Vice President
Terrapure Environmental