



Hamilton

Mailing Address:
71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Planning and Economic Development Department
Planning Division
71 Main Street West, 6th Floor, Hamilton ON L8P 4Y5
Phone: 905-546-2424, Ext. 4281 Fax: 905-540-5611

SENT BY E-MAIL
Blair.Shoniker@ghd.com

August 31, 2017

GHD Consulting
Blair Shoniker
Senior Waste & Environmental Planner
65 Sunray Street
Whitby, ON L1N 8Y3

RE: Comments on the Terrapure Stoney Creek Regional Facility Environmental Assessment – Preliminary Draft Environmental Assessment

Dear Mr. Shoniker,

In response to your communication dated July 30, 2018, requesting comments on the Stoney Creek Regional Facility (SCRF) Environmental Assessment – Preliminary Draft Environmental Assessment, please find attached the consolidated comments from City of Hamilton staff. These comments are planned to be discussed by the City's Planning Committee at their September 18, 2018 meeting. The Staff Report and Council's resolution will be forwarded to the Ministry of Environment, Conservation and Parks following the September 26, 2018 Council Meeting.

The City of Hamilton previously reviewed the Proposed Terms of Reference, dated February 8, 2017. Planning Committee received the Staff Report PED16184(a) and presentation at its April 18, 2017 meeting. City Council, at its April 26, 2017 meeting, approved the staff recommendation and the comments included in report PED16184(a) were forwarded to Terrapure and to the Minister of the Environment, Conservation and Parks. On November 9, 2017, the Minister of the MECP approved the Amended ToR.

As Council has not deliberated on these matters since April 26, 2017, Council's current position remains the same as their motion passed on April 26, 2017, stating "that the City of Hamilton opposes the application made by Terrapure Environmental to increase the capacity of their landfill located at the northwest corner of Mud Street and Upper Centennial Parkway".

Therefore, the proposed changes, as indicated in the Preliminary Draft Environmental Assessment, are contrary to Council's position.

Summary of Comments

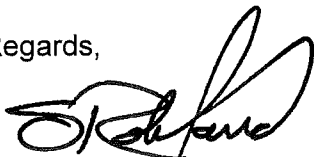
Staff have a number of outstanding issues that have not been adequately addressed through the Preliminary Draft Environmental Assessment. These issues include:

- The Land Use and Economic Detailed Impact Assessment Report have not been updated with analysis regarding tax and property valuation impacts

- The Noise Impact Assessment Report has not been updated to confirm ambient sound level calculations stated.
- The Hydrogeological Impact Assessment Report should be updated with clay liner construction and testing details, off-site domestic water quality information (private wells), Reasonable Use Concept (RUC) calculation methodologies used in 1997 data, clay liner leachate compatibility testing, and clay liner hydraulic performance under the range of waste depths proposed.
- The Commitments and Monitoring Chapter does not specify exactly what type of screening feature or technique will be utilized at the various vantage points to mitigate visual impacts of the facility and operations.
- Should updates to the existing compensation agreements be made, the Commitments and Monitoring Chapter should be updated to reflect any pertinent changes.

We thank you for the opportunity to comment on the Preliminary Draft Environmental Assessment. Should you have questions or comments, please contact Tiffany Singh, Planner, at 905-546-2424 Ext. 1221 or via email at Tiffany.Singh@hamilton.ca.

Regards,



Steve Robichaud, *MCIP OPPI RPP*
Director of Planning and Chief Planner, Planning Division
Planning and Economic Development Department
City of Hamilton

SR:ts
Attachment

cc:

Doug Conley, Councillor Ward 9
Maria Pearson, Councillor Ward 10
Chad Collins, Councillor Ward 5
Dan McKinnon, General Manager, Public Works
Emil Prpic, Manager of Recycling and Waste Disposal Operations
Tony Sergi, Senior Director, Growth Management
Joanne Hickey-Evans, Manager Policy Planning & Zoning By-law Reform
Christine Newbold, Manager Community Planning & GIS
Anita Fabac, Manager Development Planning, Heritage & Design
Matt Lawson, Manager, Public Health Services
Justyna Hidalgo, Solicitor
Debbie Edwards, Deputy City Solicitor
Samantha Blackley, Capital Budgets
Udo Ehrenberg, Manager Hamilton Water
Paul Widmeyer, Hamilton District Manager (Acting), Ministry of Environment, Conservation and Parks (paul.widmeyer@ontario.ca)

ATTACHMENT:

Terrapure Stoney Creek Regional Facility Environmental Assessment – Preliminary Draft Environmental Assessment, dated July 30, 2018

City of Hamilton Comments

The City of Hamilton appreciates the opportunity to comment on the Preliminary Draft Environmental Assessment and acknowledges the changes that have been made in relation to our comments provided between January 31st, 2018 to July 30th, 2018. However, staff note that there are still outstanding revisions that were not completed at the time of their review and commenting deadline in order to meet the reporting deadline for the last municipal Planning Committee and Council meeting dates before the 2018 Municipal Election. As such, staff will continue to review additional revised material and provide comments to you during the following upcoming commenting periods:

- Draft EA for Public Review – 7 week review period for stakeholder review
- Final EA is submitted with the Notice of Submission – 7 week review period for stakeholder review of Final version of EA from date of Notice
- Public Inspection of Ministry Review – 5 weeks for public to comment on the Ministry's review

As Council has not deliberated on these matters since April 26, 2017, Council's current position remains the same as their motion passed on April 26, 2017:

- (a) That the Minister of the Environment and Climate Change be advised that the City of Hamilton opposes the application made by Terrapure Environmental to increase the capacity of their landfill located at the northwest corner of Mud Street and Upper Centennial Parkway;
- (b) That the Staff comments submitted to the Ministry of Environment and Climate Change on March 10, 2017 outlining the City's comments respecting the "Stoney Creek Regional Facility Environmental Assessment – Proposed Terms of Reference, February 8, 2017", attached as Appendix "A" to Report PED16184(a), be endorsed;
- (c) That the City Clerk's Office be authorized and directed to forward Report PED16184(a) to the Ministry of Environment and Climate Change and this Report is considered the City of Hamilton's formal comments on the second phase of the "Stoney Creek Regional Facility Environmental Assessment – Proposed Terms of Reference, February 8, 2017".

Therefore, the proposed changes, as indicated in the Preliminary Draft Environmental Assessment, are contrary to Council's position.

Summary of Staff Comments

Staff has a number of outstanding issues that have not been adequately addressed through the Proposed Preliminary Terms of Reference. These issues include:

- The Land Use and Economic Detailed Impact Assessment Report have not been updated with analysis regarding tax and property valuation impacts
- The Noise Impact Assessment Report has not been updated to confirm ambient sound level calculations stated
- The Hydrogeological Impact Assessment Report should be updated with clay liner construction and testing details, off-site domestic water quality information (private wells), Reasonable Use Concept (RUC) calculation methodologies used in 1997 data, clay liner leachate compatibility testing, and clay liner hydraulic performance under the range of waste depths proposed.
- The Commitments and Monitoring Chapter does not specify exactly what type of screening feature or technique will be utilized at the various vantage points to mitigate visual impacts of the facility and operations.
- Should updates to the existing compensation agreements be made, the Commitments and Monitoring Chapter should be updated to reflect any pertinent changes.

Detailed Comments

Real Estate	Based on the response from the consultant, the proponent does not intend on providing the requested land economic and property tax impact analysis and information requested until a later date – with the release of their actual Draft EA document. We cannot comment further on the material provided except to acknowledge that they intend to address the request, albeit later.
Planning - Noise	<p>Please provide the Stamson sheets which were used to calculate the ambient (background) sound level at POR1, 3, and 4. The Detailed Impact Assessment report refers to the sheets being attached as Appendix 1, but we cannot locate them. The report indicates that the ambient (background) sound level at POR1 will be 60 dBA, accounting for future residential development. The report identifies 60dBA as the sound performance limit, based on the ambient sound level. The predicted future sound levels at POR1 resulting from the landfill are 60 dBA, just meeting the performance limit. Staff therefore need to review the Stamson sheets to confirm that the ambient sound level was calculated correctly and are based on the appropriate traffic volumes. If the ambient sound level is actually below 60dBA, this would result in a need for noise mitigation requirements. Therefore, this review is needed.</p> <p>While it appears that GHD has addressed staff's remaining comments, without an updated Noise Impact Assessment it is not possible to confirm.</p>
Source Water Protection	Source Water Protection recommends that any available domestic water quality downgradient from the property be sampled to demonstrate the level of off-site impact originating from landfill operations. If offsite groundwater quality can not be obtained, Source Water Protection and Cambium recommend that Terrapure collaborate with neighbouring property owners to verify that no offsite impacts are observed downgradient, and to verify their conceptual

	<p>model.</p> <p>The applicant should provide methodologies as to how RUC trigger values were calculated in their original submission. As a result, Source Water Protection and Cambium cannot verify the validity of the RUC calculations.</p> <p>Upon review of the Design and Operations as well as the Facility Characteristics Report, details on compatibility testing other than puncture risks were not found. The applicant should provide specific details as per Cambium's request.</p> <p>GHD shall provide details of this analysis to the satisfaction of Cambium and Source Water Protection, as they were not provided in GHD's response.</p> <p>A number of groundwater monitoring wells along the downgradient property boundary show exceedances of Ontario Drinking Water Quality Standards, exceedances of Hamilton's Sewer Use Bylaw, or both. Parameters such as sulphate, boron, pH, and uranium exceed such standards.</p> <p>As a result, if construction dewatering is required for future development downgradient of the operating and/or closed landfill (25T-201301, 25T-201510, 25T-201601, 25T-201612, 25T-201611, 25T-201701), these applicants should be aware that groundwater quality may be compromised, and special agreements with Hamilton Water and/or the Ministry of Environment, Conservation and Parks may be required.</p> <p>Refer to attached formal peer review of the submitted hydrogeological report from Cambium Inc.</p>
Public Health	<p>Hamilton Public Health Services (PHS) has reviewed discussion documents "<i>Stoney Creek Regional Facility Environmental Assessment - Human Health Assessment Review Workplan</i>" (Intrinsic Science Consulting, 2018), as well as the <i>Community Health Assessment Review</i> (2017 Annual Monitoring and Operations Report, Appendix E - Intrinsic Science Consulting, 2018). Other supplemental technical papers included but not limited to as part of the Draft Environmental Approval Process - Chapter 6 "Detailed Impact Assessment of the Undertaking" (GHD -2018) have also been reviewed.</p> <p>PHS has no objection to the comparative evaluation chosen to identify the "recommended landfill footprint" - Option 5. No information reviewed within the above-referenced documents suggests air quality or leachate pose an unacceptable risk to the health of the surrounding community.</p> <p>PHS recommends that as the EA process advances, all requirements</p>

	set forth in the Environmental Compliance Approval for the SCRF are abided by. As well, environmental best management practices should be maintained.
Finance	Current terms and conditions of the existing Compensation Agreements should be revisited and revised as part of any approval to changes to the existing ECA.

Conclusion

City of Hamilton staff have identified a number of gaps that should be adequately addressed in the actual Draft EA material. As such, staff reserve the right to provide the proponent with further comments once all of the Draft EA material including full impact assessments have been revised accordingly and are available for review and commenting.