

# APPENDIX B

**Ministry of the Environment,  
Conservation and Parks**

Eastern Region  
Ottawa District Office  
Cornwall Area Office  
113 Amelia St  
Cornwall ON K6H 3P1  
Fax: (613) 933-7402  
Tel: (613) 933-7404

**Ministère de l'Environnement, de la  
Protection de la nature et des  
Parcs**

Direction régionale de l'Est  
113 rue Amelia  
Cornwall ON K6H 3P1  
Télécopieur: (613) 933-7402  
Tél: (613) 933-7404



August 15, 2018

Mr. Julien Lenhart  
Director of Infrastructure and Planning  
The Corporation of the City of Clarence-Rockland  
1560 Laurier Street  
Clarence-Rockland, ON K4K 1P7

Mr. Lenhart,

**RE:** Ministry Review of May 2018 Notre Dame Landfill Closure  
Plan/Stormwater Management Preliminary Design  
Reference Number 6870-A5NJZX

The Ministry has had an opportunity to review the submission entitled Notre Dame Landfill Closure Plan/Stormwater Management Preliminary Design ('Report') dated May 10, 2018 and prepared by WSP on behalf of the City of Clarence-Rockland. This Report was submitted following direction provided by myself on behalf of the Ministry in a letter dated January 24, 2018.

This e-mail serves to follow up on the Ministry's general position regarding the options presented in the above-noted submission to resolve the current situation, being a former landfill site located on a property which currently receives uncontrolled stormwater runoff from roads and a fully built-out subdivision, discharging to a provincially significant wetland. Seven options are presented in the above-noted submission; the Report explains that the preferred approach (as 'Option 7') involves no pond construction, but rather capping of the existing landfill and use of the remaining available (floodplain) area in lieu of quantity control, and with two oil water separators providing quality control of the incoming subdivision stormwater only. To be clear, the Option 7 does not involve waste removal from the former landfill area, quantity control or effluent quality control.

In general, the Ministry is not convinced that enough support is provided by the above-noted submission to satisfy itself that Option 7 presented in the Report best addresses the root issue: improves the current situation by mitigating existing and future off-site environmental impairment. Note that off-site environmental impairment is based on the Ministry's review of the data collected by WSP, not WSP's interpretation of the data presented in the reports the Ministry reviewed (as detailed in my January 2018 letter). Despite an option that conforms to the Ministry's Sewage Design Guidelines being the Ministry's preferred approach, the following

questions and comments were raised during the Ministry's review that must be addressed in a revised submission, should the Option 7 be pursued:

- Option 7 may only be acceptable if it is proven that other options are not reasonable (not only from an economic perspective, but also environmentally, operationally etc.). Support for this option must include, at a minimum, examples of what measures of quantity control were explored, how this option is environmentally protective compared to others that are provided in guidance, how will it be achieved (e.g. capping material, monitoring, will leachate be managed or why is it not required, how is risk presented by presence of the landfill site eliminated?).
- To address the concerns raised in the Report related to the floodplain, compare the loss to the floodplain and implications on downstream properties, ecosystems and significant species under the following scenarios:
  - o Option 7 presented in the Report;
  - o Option 7 plus capping the waste in place, both of the east and west portions of the WDS;
  - o removing wastes and creating a stormwater management facility that is capable of addressing stormwater quality and quantity; and
  - o any other options or variations of the above options that may be presented.
- Capping the landfill will reduce the precipitation from migrating through the landfill but will not stop water interaction from the ponded water when the area is periodically flooded; this is why waste removal in any area where there is a proposed stormwater management facility is preferred.
- If wastes remain in place, wastes should be isolated as much as possible from precipitation, flooding and from interacting with stormwater, on both the west and east portions of the current waste disposal site.
- The municipality needs to re-examine options to provide quantity control; not enough support is presented to conclude the only feasible option is no quantity control.
- The municipality needs to provide options for quality control of effluent or present a rationale for no quality control at the discharge point.
- Technical feedback from the Ministry of Natural Resources on the proposal regarding floodplain and provincially significant wetland impacts should be obtained and provided in writing as part of the resubmission.

In your resubmission, please also include a statement as to whether the Environmental Assessment Act applies to your SWMF undertaking.

**The resubmission is required to be made by no later than December 31, 2018.**

Following resubmission, the document will be reviewed by the Ministry and based on the content, you will be directed by this office to prepare a workplan to finally address outstanding compliance issues (i.e. undertake an EA, apply for an ECA and construct sewage works and implement closure plan under an ECA, Order or other instrument).

As you are aware, I am beginning maternity leave next week, so please address your resubmission to my supervisor, Michael Seguin, who will reassign it to my replacement.

Your ongoing commitment to the resolution of this matter is appreciated. Please do not hesitate to contact Michael Seguin at 613-933-2375 should you have any questions or concerns.

Yours truly,

A handwritten signature in black ink that reads "Melissa Lee". The signature is written in a cursive style with a large, stylized 'M' and 'L'.

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Melissa Lee  
Senior Environmental Officer  
Cornwall Area Office

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