



BY MAIL

May 6, 2010

The Hon. John Gerretsen
Minister of the Environment
Ferguson Block, 11th Floor
77 Wellesley Street West
Toronto, ON M7A 2T5

Dear Minister Gerretsen:

Re: Proposed Beechwood Road Environmental Centre (Napanee, Ontario)

We are writing with respect to Waste Management of Canada Corporation's proposed Beechwood Road Environmental Centre ("BREC") in Napanee, Ontario. LOW has serious procedural concerns about this proposal that should be addressed before an environmental assessment proceeds.

An expansion of Waste Management's Richmond Landfill, adjacent to the proposed BREC site, was not approved in 2006 after a seven year environmental assessment process. The Ministry did not approve the expansion in part due to the finding that the site's hydrogeology and geology make it highly susceptible to groundwater contamination. It would be inappropriate for the Ministry to allow a proposal to proceed that has already been substantively rejected on the basis of a transparent, comprehensive science-based review.

Further, Waste Management has stated that only the landfill aspect of the BREC is subject to Ontario's *Environmental Assessment Act (EAA)*. Lake Ontario Waterkeeper supports the Concerned Citizens – Tyendinaga & Environs (CCTE)'s request for a regulation designating the whole of the proposed Beechwood Road Environmental Centre as a major commercial or business enterprise to which Part II of the *EAA* applies. LOW believes that this designation must occur before the Terms of Reference for this project are established, in order to avoid "project splitting" and to ensure that the full potential environmental impact of the proposed BREC is considered as part of the EA.

If you have any questions or comments about this request, please do not hesitate to contact our counsel, Joanna Bull, at (416) 861-1237 or joanna@waterkeeper.ca.

Yours truly,

Mark Mattson
Waterkeeper & President

600 Bay Street, Suite 410. Toronto, ON M5G 1M6

T WORK PHONE ADMIN@WATERKEEPER.CA WWW.WATERKEEPER.CA

PROUD MEMBER OF WATERKEEPER ALLIANCE