

Client Services and Permissions Branch
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Sent via email and regular mail

Sir/Madam,

These comments are submitted by Jeff Whan, citizen of Napanee region, in response to ERO number 019-4955 and ERO number 019-4864 both of which apply to the Richmond landfill located in the Town of Greater Napanee.

As part of the arbitration process which preceded the ERT hearing, a Public Notification Protocol (PNP) was developed and agreed to by the MECP, WM and CCCTE. This plan details triggers, time-lines and procedures for public notification if an event at the Richmond Landfill that could impact the environment or neighbours. In spite of the occurrence of numerous triggers (leachate spills, new parameter exceedances at boundaries, etc), this protocol has never been followed by WM or enforced by the MECP.

On an ongoing bases it is necessary for the MECP to manage the compliance issues at the site so that the public will not have to remain ever vigilant. An effective Environmental Monitoring Plan (EMP) and strict implementation and enforcement of the PNP is essential.

Citizen organizations have spent time and thousands of dollars, on expert assistance. Out of compliance issues have been discovered, and many recommendations have been made. The closed Richmond Landfill is leaking toxic leachate onto neighboring properties, and for several years, and to this day, has remained out of compliance with Ontario's laws and regulations.

These applications are intended to bring the landfill into compliance. Unfortunately, in my opinion, in several fundamental ways the proposals are not acceptable and will fail to do so.

First, I disagree with the MECP contention that the extent of the plume has been delineated. These issues are detailed in Wilf Ruland's report dated Oct 31, 2019. For example, the extent of the plume on the Martin property to the east of the landfill has not been found.

Second, I note that PFAS has not been included in the testing parameters in the Environmental Monitoring Plan (EMP). As mandated by the ERT, 1,4D is being used as the leachate indicator at the Richmond Landfill with a site specific RUL of .001 µg/L. The value of 1,4D as a leachate indicator will not change if Ontario establishes a higher OWDS. Due to the continuing generation of leachate and the numerous cases of changing and undetected leaks at this site everything should be done to enhance the early identification of leachate leaks. PFAS has been shown as an excellent indicator of leachate, and as

recommended by the MECP should be added to the list of parameters for regular testing in surface and ground water in all testing points detailed in the EMP.

Third, it is difficult to determine what changes are being recommended to the EMP testing regime and why. For example, the EMP does not include a boundary well on the Martin property so there is no way to know the status of the leachate plume to the immediate south and east of the landfill footprint.

Fourth, the proposed HCS has some serious deficiencies. During the proof of concept pump testing no parameters were checked downstream from the purge wells on the Martin property. There is no evidence that the proposed purge wells will contain the plume and there is no baseline for checking the effectiveness of the operation. Further it is unacceptable that the contaminated ground water be pumped to the unlined storm-water ponds and allowed to run into the Beechwood ditch. Conceptually this would seem to spread the problem rather than contain it. Purge well pumping will alter the ground water flow and modify the conceptual model on which the proposed CAZ boundaries have been calculated. The HCS should not be approved. WM should pursue other alternatives in this area.

Given the complex setting and the history of WM's failures in predicting and remediating leachate leaks at this site, I recommend that the MECP should require WM to withdraw their application for the expansion of the Richmond Landfill (Beechwood Road Environmental Centre) and require the company to undertake never to apply for an expanded or new landfill at this location.

Sincerely

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