



REPORT TO: Mayor and Members of Council
DATE: August 30, 2017
FROM: Jill Bellchamber-Glazier, CAO-Clerk
SUBJECT: Southwest Middlesex Landfills Update

RECOMMENDATION

THAT council appoint the following council members to serve to a landfill advisory committee reporting to council; and

THAT staff be directed to draft a Terms of Reference for a landfill advisory committee for council's approval.

BACKGROUND:

Southwest Middlesex owns two active landfills which are supervised, operated and maintained by an external contractor. Landfills are regulated by the Ministry of Environment and Climate Change. All landfills require ministry approval to operate.

In January 2017, the Ministry of the Environment and Climate Change issued a 'Field Alert' after their October 2016 inspection of the Trillium Drive landfill. The alert notified Southwest Middlesex that the Environmental Compliance Approval (ECA) for Trillium Drive landfill is expected be amended by the ministry. The inspection identified concerns from the ministry regarding the operation of the municipal landfill site.

Expected changes to the ECA include additional conditions that the municipality must meet to continue operating the landfill. The municipality has been advised that it should expect new requirements to continue landfill operations, including the establishment of a monitoring and reporting program for the landfill and a landfill design and operations plan. There may

also be additional conditions imposed. Municipal staff have been working with ministry staff to prepare for the changes at the Trillium Drive landfill.

ANALYSIS:

Residents of Southwest Middlesex benefit from the solid waste services offered by the municipality, and are able to take waste to either of the local landfills (Trillium Drive and Limerick Drive landfills). Both of the active landfills operate under MOECC approval. The current approvals require the following:

- Burning of only clean wood and brush; and
- That the solid waste be compacted and covered with cover material at least once per week.

The municipality's landfills are approved to take domestic, commercial and non-hazardous industrial waste.

The municipality also sets rules and policies related to its landfills, including such areas as:

- the requirement for fee collection for solid waste;
- moving, compacting and covering all waste within 24 hours;
- maintaining materials separately and orderly;
- encouraging diversion of waste from the active waste cell (e.g. recyclables, electronics, tires, metal);
- health and safety; and
- the requirement that work be carried out in an environmentally safe manner.

Additionally, there are other Acts and Regulations that apply, such as rules protecting the natural environment and health and safety.

The municipality has the ability to change its own policies, however, if ministry rules are not followed the ministry can revoke its approvals which would result in landfill closures. This would be a significant financial burden for Southwest Middlesex taxpayers.

Municipal staff have been gathering information in order to provide recommendations to council. The approach that staff recommend is for the municipality to take steps to assess conditions at the landfills, to reduce the potential for negative environmental impacts, and to undertake work to make the sites safe for the health and safety of those that work at the site, staff, and the public.

The benefit of staff's recommended approach in preparing for the expected changes in the approval for operating the landfills include:

- continued solid waste services;
- avoidance of legal offences;
- protecting the financial interests of Southwest Middlesex;
- protecting the health and safety of those at the landfills; and
- protecting the environment.

Additionally, staff recommend that council consider forming a committee of council to focus on the short, medium, and long-term plan for the municipality for solid waste services.

FINANCIAL IMPLICATIONS:

The financial implications of forming the committee are minimal as it would involve staff and council time to meet and work on strategy and action plan. There will be new costs associated with compliance. Staff expect that additional outside resources will be required to assist in the assessment and plan development for the landfills.

In 2017, \$40,000 was budgeted from reserves raised in 2016 to initiate investigations of Trillium Landfill, to date there has been no funds expended, however, staff have engaged a consultant to assist with the development of a leachate management plan and to undertake surface water testing. These costs are expected to be approximately \$4,000-\$5,000.

The remainder of the budgeted amount for 2017, which was initially planned for investigation at Trillium Landfill, will instead be used for the corrective action to reduce the unsafe slope and height of the active waste cell at Trillium, as identified in the ministry investigation report. Staff are in the process of getting informal quotes for this improvement, and depending on the estimated amounts will likely be required to issue a tender or request for proposals to do the works (as per the purchasing policy).

At this point, future operating and planning costs are unknown but staff are investigating.

LEGAL IMPLICATIONS:

The municipality must comply with the Ministry of the Environment and Climate Change and other legislated requirements (e.g. health and safety).

ASSET MANAGEMENT IMPLICATIONS:

The creation of a strategy and action plan will strengthen and provide direction for the landfill asset in the asset management plan.

RISK MANAGEMENT IMPLICATIONS:

This will help align priorities and reduce the impacts of unexpected changes by preparing the municipality for improvements and moving toward current operating practices. If the municipality were to do nothing then the impact could be intense with respect to operational changes and financial requirements to continue the services the landfills provide the community.

ENVIRONMENTAL/CLIMATE CHANGE IMPLICATIONS:

In the absence of a climate change action plan it is important that the municipality consider the impacts where possible. Solid waste management and landfills have a large environmental footprint and are an integral part of our community. The longevity of the system is dependent on everyone's participation in diversion and being mindful of purchases and what is being disposed of and how.

Education and outreach to the community to continually remind and guide residents on how best to manage and reduce waste is necessary.

Cooperation and thinking of things differently from a complete life cycle analysis perspective is going to be necessary to extend the life of the municipal landfills. Outline the technological implications of the report – delete category if not relevant

RELATIONSHIP TO STRATEGIC PLAN:

Upholding a healthy & safe environment

ATTACHMENT(S):

- MOECC 2016 Inspection Reports for Limerick Landfill and Trillium Landfill

OTHERS CONSULTED:

Tara Clayton, Public Works Manager, Southwest Middlesex

Kristen McGill, Treasurer, Southwest Middlesex



Solid Non-Hazardous Waste Disposal Site Inspection Report

Client:	The Corporation of the Municipality of Southwest Middlesex Mailing Address: 153 McKellar St, Post Office Box, 218, Glencoe, Ontario, Canada, N0L 1M0 Physical Address: 153 McKellar St, Southwest Middlesex, Municipality, County of Middlesex, Ontario, Canada, N0L 1M0 Telephone: (519)287-2015, FAX: (519)287-2359, email: jfrancisco@southwestmiddlesex.ca Client #: 2308-4XUQEP, Client Type: Municipal Government, NAICS: 913910		
Inspection Site Address:	Limerick Road Landfill (Mosa Landfill) Address: Lot: 23, Concession: 3, Geographic Township: MOSA, Southwest Middlesex, Municipality, County of Middlesex District Office: London - District GeoReference: Map Datum: NAD83, Zone: 17, Accuracy Estimate: 10-30 metres eg. Medium Quality GPS, Method: GPS, UTM Easting: 431559, UTM Northing: 4724065, , LIO GeoReference: Zone: , UTM Easting: , UTM Northing: , Latitude: 42.6661, Longitude: -81.8336 Site #: 6536-62NRPU		
Contact Name:	Tara Clayton	Title:	Public Works Manager
Contact Telephone:	(519)287-2015 ext119	Contact Fax:	
Last Inspection Date:	2014/10/01		
Inspection Start Date:	2016/12/07	Inspection Finish Date:	2016/12/07
Region:	Southwestern		

1.0 INTRODUCTION

On December 7, 2016, a solid non-hazardous waste disposal site inspection was carried out by Environmental Officer Krysta-Leigh Johnston at the Limerick Road Landfill. The landfill is located on Lot 23, Concession 3, in the Mosa Township of the Municipality of Southwest Middlesex (The Municipality). It is open Wednesdays from 12pm-5pm and Saturdays from 9am-5pm.

This planned and scheduled inspection is part of the Ministry of Environment and Climate Change (MOECC) London District Office's 2016/2017 inspection program. The purpose of the inspection is to assess compliance with the requirements of the Environmental Protection Act, the Ontario Water Resources Act, Regulation 347 (Waste), Certificate of Approval #A041902, and all other applicable Ministry of the Environment policies and guidelines. Site Supervisor Mike Sholdice, from the Municipality of Southwest Middlesex, and Environmental Officer John McGlynn were present during the inspection.

Inspection Note: Changes to the Environmental Protection Act effective in November of 2011 have resulted in Certificates of Approval now being referred to as Environmental Compliance Approvals. This Inspection Report form has not been updated to reflect this change.

2.0 INSPECTION OBSERVATIONS

Certificate of Approval Number(s):

Certificate of Approval Number(s):
A041902

Environmental Compliance Approval # A041902 was issued on August 28, 1980 and approved a 6 hectare (15 acre) waste disposal site in accordance with the application and supporting information forms . The approval was issued originally in 1971 and renewed each year until 1980. After 1980 no renewals were required.

The site is currently approved to receive domestic and solid , non-hazardous industrial waste

There are two conditions on the approval. The first is the requirement to register the approval on title . The second is that the burning of domestic waste at this site is to be discontinued immediately (as of August 28, 1980).

2.1 FINANCIAL ASSURANCE:

Specifics:

Financial assurance is not required , as the landfill is municipally owned and operated .

2.2 APPROVED AREA OF THE SITE:

Specifics:

Limerick Road Landfill is a 6 hectare (15 acre) site surrounded by agricultural and natural areas. The landfill footprint is not defined in the approval but the site supervisor is aware of previous landfilling activities. Mr. Shouldice stated that most of the 6 hectare site has been landfilled at some point, with the exception of the current active cell, and the wooded area to the south of it. The active cell is located to the south of the landfill entrance.

2.3 APPROVED CAPACITY:

Specifics:

There is no approved capacity listed in the approval. The remaining capacity of the landfill is unknown .

The 2004 document commissioned on behalf of the municipality entitled "An Outline of a Strategic Plan for the development of Waste Management Facilities" (later referred to as the Strategic Plan) does not estimate the amount of waste deposited at the site or the remaining site capacity. The Strategic Plan does make a number of recommendations related to site closure .

2.4 ACCESS CONTROL:

Specifics:

The site is fenced and secured by a gate. When open, the site is supervised by a municipal staff member. Signage at the entrance includes hours of operations, approved and unapproved wastes, tipping fees and contact information for the Municipality.



Signage at the landfill entrance

2.5 COVER MATERIAL:

Specifics:

There are no specific requirements for cover material identified on the approval. On the day of the inspection, the area being used for waste tipping was relatively small with soil coverage on the access ramp. Cover material is applied once every two to three weeks, depending on how much waste is received. Cover material is dirt that either originates from the site, or is brought in by road crews digging ditches.

Heavy vegetation surrounding the active landfill has prevented litter from moving off-site. Well worn animal trails were found throughout the landfill, indicating that a pest population is present.



Active landfill area

2.6 WASTE BURNING:

Specifics:

A relatively small burning pile was noted toward the north end of the landfill . There were metal pieces in the burn pile , much of which looked as though it belonged to furniture with metal braces or fixtures . Miscellaneous other pieces of metal (i.e. metal safety inserts for boots) were also noted in the pile . The site supervisor informed us that furniture is no longer burned, but crushed and buried in the landfill . The Municipality is reminded to ensure that only clean wood and brush is burned at the landfill .



Metal in the burn pile

2.7 GROUNDWATER/SURFACEWATER IMPACT:

Specifics:

No groundwater or surface water impacts were noted during the inspection . There are no known monitoring wells within the landfill boundary . The site supervisor indicated that the sandy soils in the landfill generally prevent the accumulation of surface water .

In 1981, the Ministry of the Environment and Climate Change conducted a preliminary hydrogeological assessment of

the site. The report indicated that at the time, the landfill operation was occurring in the north west corner of the site. Three minor concerns were identified in the Discussion section of the report. The report indicated that the water table was shallow in the area of the landfill, and that waste was likely contaminating the shallow aquifer. The report concluded that the threat to groundwater contamination in the bedrock was remote. The report noted that there was a domestic well in the southeast corner of the site, associated with a residence used by the landfill operator, and that the water quality in this well should be examined. The report also indicated that there was some potential for contamination to Fansher Creek from the landfill operation, from two pipes which appear to drain the northern portion of the landfill. Limited sampling at that time did not reveal any water quality impacts to the creek.

2.8 LEACHATE CONTROL SYSTEM:

Specifics:

There is no leachate control system in place at the landfill. No accumulation or flows of leachate were noted during the inspection.

2.9 METHANE GAS CONTROL SYSTEM:

Specifics:

There is no methane gas control system in place at the landfill.

2.10 OTHER WASTES:

Specifics:

ECA number A041902 approved the site to receive domestic wastes and solid, non-hazardous industrial wastes.

The municipality operates recycling and composting programs at the site. The following waste types are being recycled:

- Used tires
- Metal and white goods
- Municipal recycling materials (paper, glass etc.)
- Leaf and yard waste
- E-waste
- Construction and demolition wastes, including shingles, carpeting, porcelain, and concrete.

Paint cans were observed during the inspection. The site supervisor stated that these were dumped at the entrance to the landfill, and that cans with remaining paint would be brought into Lowe's for disposal. The landfill does not currently accept household hazardous wastes.



Paint cans stockpile

3.0 REVIEW OF PREVIOUS NON-COMPLIANCE ISSUES

Previous compliance issues were the burning of materials other than clean wood and brush, as well as accepting wastes other than those listed on the ECA. No unapproved wastes were noted during the inspection.

Metal in the burn pile suggests that materials other than clean wood and brush are still being burned at the landfill. While measures have been put in place to dispose of materials appropriately, the Municipality is reminded that only clean wood and brush can be burned.

4.0 SUMMARY OF INSPECTION FINDINGS (HEALTH/ENVIRONMENTAL IMPACT)

Was there any indication of a known or anticipated human health impact during the inspection and /or review of relevant material, related to this Ministry's mandate?

No

Specifics:

Was there any indication of a known or anticipated environmental impact during the inspection and /or review of relevant material ?

No

Specifics:

Was there any indication of a known or suspected violation of a legal requirement during the inspection and/or review of relevant material which could cause a human health impact or environmental impairment ?

Yes

Specifics:

During the inspection, metal was found in the small burn pile in the north end of the landfill. This would suggest that Mosa / Limerick Road Landfill has not fully met its requirements for the burning of clean wood and brush. Burning at the landfill shall not include any Municipal waste as defined by Regulation 347.

"municipal waste" means,

(a) any waste, whether or not it is owned, controlled or managed by a municipality, except,

(i) hazardous waste,

(ii) liquid industrial waste, or

(iii) gaseous waste, and

(b) solid fuel, whether or not it is waste, that is derived in whole or in part from the waste included in clause.

A conversation with the site supervisor demonstrated that the Municipality is taking measures to ensure that materials are disposed of properly. The Municipality is reminded to ensure that only clean wood and brush is burned at the landfill.

Was there any indication of a potential for environmental impairment during the inspection and /or the review of relevant material ?

No

Specifics:

Was there any indication of minor administrative non-compliance?

No

Specifics:

5.0 ACTION(S) REQUIRED

1. The Corporation of the Municipality of Southwest Middlesex shall ensure that only clean wood and brush are burned at Limerick Road Landfill. The Municipality shall confirm that they are following their burning procedure by January 30, 2017. Confirmation can be made by email or letter at :


krysta-leigh.johnston@ontario.ca

Ministry of Environment and Climate Change
733 Exeter Road,
C/O Krysta-Leigh Johnston
London, ON
N6E 1L3

6.0 OTHER INSPECTION FINDINGS

No other inspection findings.

7.0 INCIDENT REPORT

Applicable
1703-AH5KE3 



8.0 ATTACHMENTS

PREPARED BY:

Environmental Officer:

Name:

Krysta-Leigh Johnston

District Office:

London District Office

Date:

2016/12/30

Signature



REVIEWED BY:

District Supervisor:

Name:

Dan Crompt

District Office:

London District Office

Date:

2017/01/04

Signature:



File Storage Number: -

Note:

"This inspection report does not in any way suggest that there is or has been compliance with applicable legislation and regulations as they may apply to this facility. It is, and remains, the responsibility of the owner and/or the operating authority to ensure compliance with all applicable legislative and regulatory requirements"



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Inspection Site Address:	Trillium Drive Landfill Site (Ekfrid Landfill) Address: 3945 Trillium Dr, Southwest Middlesex, Municipality, County of Middlesex, N0L 1M0 District Office: London - District LIO GeoReference: Zone: 17, UTM Easting: 445036.6, UTM Northing: 4731827.0, Latitude: 42.736988, Longitude: -81.67147 Site #: 7217-67MJFL		
Contact Name:	Tara Clayton	Title:	Public Works Manager
Contact Telephone:	(519)287-2015 ext119	Contact Fax:	
Last Inspection Date:			
Inspection Start Date:	2016/10/18	Inspection Finish Date:	2017/01/26
Region:	Southwestern		

1.0 INTRODUCTION

On October 18, 2016, as part of the Ministry's 2016/2017 inspection program, Provincial Officer John McGlynn conducted an inspection of the Trillium Drive Landfill site (Ekfrid Landfill), located on Lot 22, Concession R1N, in the Ekfrid Township of the Municipality of Southwest Middlesex. The purpose of the inspection was to assess compliance with the requirements of the Environmental Protection Act, the Ontario Water Resources Act, Regulation 347 (Waste), Environmental Compliance Approval (ECA)# A041403, and all other applicable Ministry of the Environment policies and guidelines.

The site is a municipal solid non-hazardous waste disposal site. The site representative for the inspection was Mike Sholdice, Landfill Attendant.

The landfill is currently operating under the original Certificate of Approval issued in 1971 and renewed each year until 1980, after 1980 no renewals were required. The existing ECA does not require the municipality to prepare and implement a design and operations report, or conduct surface and groundwater sampling.

It is my opinion that the existing ECA needs to be updated to include additional requirements that will ensure the municipality is utilizing current best management practices when operating the landfill. The need for a surface/groundwater monitoring program is necessary to provide analytical data that will assist in determining if current/future operations at the landfill are contributing to adverse impacts offsite. As a result, the London District Office has issued a 'Field Alert' to the MOECC Environmental Approvals Branch (EAB) requesting the current ECA be updated and amended to include, but not limited to, requirements for

a Design & Operations Report and establishment of a monitoring/reporting program.

On January 26, 2017 Provincial Officer McGlynn met with the new Southwest Middlesex Public Works Manager, Tara Clayton, to discuss the ongoing concerns with the operations at the landfill, specifically, the issues surrounding exposed waste and leachate management at the site. It was communicated that the London District Office will be issuing a 'Field Alert' requesting the current ECA be updated and amended, and suggested the municipality consider making preparations for the upcoming changes. It is anticipated that the MOECC London District will work closely with the MOECC EAB during the amendment process and will strive to keep the municipality updated on the proposed changes.

2.0 INSPECTION OBSERVATIONS

Certificate of Approval Number(s):

A041403

Certificate of Approval number A041403 was issued on July 3, 1980 and approved a 20.2 hectare (50 acre) waste disposal site in accordance with the application and supporting information forms. The approval was issued originally in 1971 and renewed each year until 1980. After 1980 no renewals were required.

The site is approved to receive domestic, commercial and non-hazardous solid industrial waste and that the approval be a register instrument on title.

2.1 FINANCIAL ASSURANCE:

Specifics:

The site is owned by the municipality, financial assurance requirements do not apply.

2.2 APPROVED AREA OF THE SITE:

Specifics:

Trillium Drive Landfill is a 20.2 hectare (50 acre) site surrounded by agricultural and natural areas. The landfill footprint is not defined in the approval and is difficult to determine where filling has taken place. The active cell which is being filled is identifiable north-east upon entering the landfill. Previous landfill activities which have occurred are generally known by the municipality. The closest residential dwelling was observed to be approximately 250 metres north-east of the landfill. Newbiggen Creek borders the property from the north-east corner to the southeast corner, with drainage from the site being generally directed towards the creek.

2.3 APPROVED CAPACITY:

Specifics:

There is no approved capacity listed in the approval. The remaining capacity at the landfill is currently unknown. There is an active recycling program and refuse is primarily taken to the landfill by residents and Emterra, who performs the municipal collection.

2.4 ACCESS CONTROL:

Specifics:

At the time of the inspection the landfill was observed to have a secure entrance. During the hours of operation the site is supervised by an employee of the County. There are signs posted at the entrance which includes hours of operation, approved wastes, unapproved wastes, and tipping fees.

2.5 COVER MATERIAL:

Specifics:

There are no specific requirements for cover material identified on the approval. At the time of the inspection, the active tipping area was observed to be a large area with exposed waste, considerable in height, with no soil coverage. A large pond of leachate was observed at the base of the exposed waste. Applying regular cover material at the tipping face does not appear to be an operational practice at this site. The application of daily cover assists with reducing odours, controlling litter and controls and reduces amount of leachate accumulation.

2.6 WASTE BURNING:

Specifics:

At the time of the inspection there was a burn area observed on the south-east side of the landfill. The burn area was observed to only contain brush and clean wood.

2.7 GROUNDWATER/SURFACEWATER IMPACT:

Specifics:

During the site visit I inspected the vegetative area between the the working face of the landfill and the creek bordering the property. Evidence of previous surface water flowing from the active tipping area to the creek was apparent by the number of water flow paths observed carved in the soil. Leachate impacts to surface water and groundwater is a possibility due to the current waste management practises and excessive amount of leachate observed pooling at the base of the active tipping area. No surface water monitoring or groundwater monitoring has been completed at the site, therefore, it is difficult to determine if the site is contributing to adverse impacts offsite.

2.8 LEACHATE CONTROL SYSTEM:

Specifics:

The site does not have a leachate collection system. At the time of the inspection a large quantity of exposed leachate was observed pooling at the base of the active tipping area.

2.9 METHANE GAS CONTROL SYSTEM:

Specifics:

There are no methane gas control requirements or controls for Trillium Drive Landfill.

2.10 OTHER WASTES:

Specifics:

3.0 REVIEW OF PREVIOUS NON-COMPLIANCE ISSUES

As a result of the findings from the inspection completed by the MOECC in October 2014 the following actions were required:

1) The Municipality of Southwest Middlesex shall develop a burning procedure, in writing, that shall be implemented at the municipal landfills by no later than November 28, 2014. A copy of this procedure shall be forwarded to the author of this report no later than the above date.

Complied

2) The Municipality of Southwest Middlesex shall immediately stop taking unapproved wastes at the landfill sites. Waste located at the site shall be assessed, characterized, and if found to be subject waste, removed by an approved carrier and disposed of at an approved receiver. Documentation that the wastes were moved by an approved hauler and disposed of at an approved waste site shall be provided to the undersigned provincial officer by no later than November 28, 2014.

Complied

3) The Municipality of Southwest Middlesex shall provide a response in writing describing how the leachate issues identified will be addressed. This response must be provided to the undersigned provincial officer no later than November 28, 2014.

No record of the actions taken by municipality to address the ongoing leachate concerns received.

4.0 SUMMARY OF INSPECTION FINDINGS (HEALTH/ENVIRONMENTAL IMPACT)

Was there any indication of a known or anticipated human health impact during the inspection and/or review of relevant material, related to this Ministry's mandate?

No

Specifics:

Was there any indication of a known or anticipated environmental impact during the inspection and/or review of relevant material ?

No

Specifics:

Was there any indication of a known or suspected violation of a legal requirement during the inspection and/or review of relevant material which could cause a human health impact or environmental impairment ?

No

Specifics:

Was there any indication of a potential for environmental impairment during the inspection and/or the review of relevant material ?

Yes

Specifics:

At the time of the inspection a large area of exposed leachate was observed to be pooling at the base of the active tipping area in close proximity to adjacent creek.

Was there any indication of minor administrative non-compliance?

No

Specifics:


5.0 ACTION(S) REQUIRED

The municipality shall implement the following practices:

- Apply cover material to minimize the size of the uncovered working face.
- Minimize the size of the tipping area and ensure that wastes are pushed into the trench and covered after each day the site receives waste.
 1. By March 3, 2017 provide the undersigned Provincial Officer with a written action plan to address the identified ongoing concerns with leachate management on the site.

6.0 OTHER INSPECTION FINDINGS

7.0 INCIDENT REPORT

Applicable
7230-AJ5REV 



8.0 ATTACHMENTS

PREPARED BY:

Environmental Officer:

Name:

John McGlynn

District Office:

London District Office

Date:

2017/01/31

Signature



REVIEWED BY:

District Supervisor:

Name:

Dan Cromp

District Office:

London District Office

Date:

2017/01/31

Signature:



File Storage Number: -

Note:

"This inspection report does not in any way suggest that there is or has been compliance with applicable legislation and regulations as they may apply to this facility. It is, and remains, the responsibility of the owner and/or the operating authority to ensure compliance with all applicable legislative and regulatory requirements"