

Madame la Présidente, Monsieur le Commissaire,

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Projet d'établissement d'un lieu d'enfouissement technique
à Danford Lake
Alleyn-et-Cawood **6212-03-112**

Thank you for granting me this valuable speaking time.

My name is Michèle Borchers. I emigrated here from Germany more than 30 years ago. For the past 25 years I have been spending as much time as possible, both summer and winter, in my Kazabazua residence, two kilometres from the village of Danford Lake.

I am opposed to the project for several reasons, which I will mention only briefly.

My first reason is the unilateral approach adopted in the concept of the project
Oddly enough, both the Municipality and the MRC were already supporting this *regional* project back in 2004 without consulting the other MRCs and municipalities of the Outaouais.

This unilateral approach is all the more surprising since the other Outaouais MRCs never hid their coolness towards landfills, which they considered merely a method of storage.

The joint efforts that began last year among all the MRCs and the City of Gatineau highlighted the need to seek an alternative to landfill for the medium and long-term together.

The Eastern Townships also came to these same conclusions. Composting and plasma gasification head the list of recommended options in their February 2007 study, while landfill takes last place.¹

True, the time limit of 19 January 2009 leaves only 18 months for regional officials to reach a decision. But if it is a question of only two or three years to find a non-polluting technology that would, moreover, supply some energy, then why not negotiate a brief delay with the government rather than mortgage the future of our home environment for generations to come?

The second reason for my opposition to the project is its remoteness from the main source of waste

The *proximity principle* is a very common-sense principle for environmental, economic, and security reasons.

The main source of waste in the Region is the City of Gatineau.

It would be "brilliant"—as one regional official brilliantly remarked at these hearings, if the future regional site for *turning waste into energy* were located near Gatineau, somewhere between Gatineau and Wakefield, for example.

My third reason is the proposed solution is its lack of social justice

There is something indecent in sacrificing a municipality of several hundred souls and a natural paradise to accommodate 340,000 people who live elsewhere.

¹ « La grille d'analyse et la pondération de chacun des critères établis par la Conférence Régionale des Élus de l'Estrie a permis d'identifier les technologies qui répondaient le mieux aux valeurs estriennes. Ainsi, dans l'ordre, le compostage intérieur, le compostage extérieur, la gazéification et le tri-compostage se sont avérés les technologies qui ont obtenus les meilleurs résultats à la suite de l'analyse comparative.»
À l'inverse, l'incinération et l'enfouissement ont obtenu les résultats les plus faibles. »

Urban waste does not belong in the wilderness.

But social justice also requires the burden to be shared fairly by everyone.

Well, the citizens of Kazabazua have already done their part for the common good. In 2005, after negotiations with the MRC, we agreed to host a regional infrastructure and the increased truck traffic that came with it—I am speaking of the septic waste treatment plant serving the entire MRC de la Vallée-de-la-Gatineau, just over ten kilometres from the proposed landfill.

If it is true that *no one* wants an engineered landfill in their backyard, then isn't it *high time* to find a different method?

It is not a question of knowing where to put our waste; it is a question of the best way to turn it into something useful, like energy...

This leads to my fourth reason for opposing the project: the technology chosen

For his project, the promoter had to ask the government to make an exception to the moratorium on establishing and expanding landfill sites.

We can better understand why this moratorium existed when we realise that the slightest break in the geomembrane system can be breached by toxic agents from hazardous household waste, which is always part of the total waste for burial.

At Berlin in 2006, the German Green Party, probably the greenest that one can imagine, came out in favour of modern incineration as a waste-into-energy solution.

They said that it made absolutely no sense to continue burying waste and storing up pollution for generations to come, since we now have technology that allows us to turn it into energy.

Sweden has 29 plants incinerating 47% of all household waste and generating a total of 9.3 terrawatt hours of energy.²

In November 2006, the government of Ontario initiated a comprehensive public consultation on innovative projects for producing energy from waste.

The cities of Mississauga and Brampton, in Ontario, have installed up-to-date incinerators that produce up to 9 megawatts of electricity a year—enough electricity to light 6000 homes.

Some Canadian cities have already opted for plasma gasification. This is true of the nearby City of Ottawa, and it is also true of the cities of Red Deer and Edmonton, in Alberta. In fact, it is a Quebec company, ENERKEM that is doing the work at Edmonton.

We were even surprised to hear at these hearings the promoter's chief engineer express his enthusiasm for one of the plasma gasification processes.³

Quebec is a leader in many fields. Why not in waste management as well?

²Swedish Embassy in Ottawa at http://www.swedenabroad.com/Page_47166.aspx

³«Donc, je ne suis pas contre le procédé de plasma. Au contraire, j'en suis un fervent utilisateur et ingénieur qui propose cette technologie-là. Cependant, le projet dans lequel on travaille présentement n'est pas un projet... LDC n'est pas un promoteur privé qui détient les brevets ou n'est pas un fournisseur d'une technologie au plasma. LDC, son nom le dit, c'est gestion et services environnementaux.» (DT6, séance du vendredi matin 18 mai 2007)

One of our recommendations would be that the Quebec Ministry of the Environment be proactive and conduct research in waste-into-energy technology.

My fifth reason: the risk of importing waste from Ontario

We now know that it is perfectly legal to import not only hazardous waste, recyclable and compostable material, but also regular waste into Quebec *on condition that the truck transporting it contains at least 50% recyclable waste.*

Since it is impossible to monitor the border between Quebec and Ontario, it means that for all practical purposes the Outaouais Region is *in great danger* of receiving waste imported from Ontario.

This is no paranoia on our part, since this particular danger was pointed out by a regional director of the Quebec Ministry of the Environment who commented on the impact study.⁴

And, finally, let us not forget that the principal shareholder in LDC is a recycling and demolition company from Ontario.

My sixth reason is a lack of trust in the ability of the Ministry of the Environment to enforce laws and regulations

The problem is not in a lack of laws and regulations, the problem—as the Ministry's representative expressed it at these hearings – is that "they are not obeyed."

⁴ « De plus et afin de rentabiliser son site, nous exprimons notre crainte quant à la possibilité que le promoteur accepte des déchets en provenance de l'Ontario [...] étant donné la difficulté de contrôler cette activité de par notre situation géographique [...] ». Lettre du directeur régional de l'analyse et de l'expertise de l'Outaouais au Chef du service des projets en milieu terrestre, datée du 11.12.2006

Quebec's Auditor General agrees. According to him, the Ministry of the Environment lacks the resources necessary to monitor landfills adequately or to punish operators found guilty.

Well then, we think it is going too far to ask us to show trust in a system that is acknowledged to be deficient.

My final reason for opposing this project is also lack of trust, but this time, it is in regard to those who are promoting this project.

The Supreme Court of Canada considers a municipality obligated to exercise its powers equitably, in good faith, and taking into account the public interest.⁵

Well then, how can citizens trust their municipal officials

- when their Municipality's invitation to an initial public meeting made no mention of the project's regional scope, giving the impression that the project only involved replacing the old dump with a new one?
- when their Municipality authorised the promoter to submit his project to the government *only* two weeks after that first public meeting, which was attended by a mere 14 residents?
- when, month after month, the mayor and a majority of council members refused to listen to their request for a referendum, while leading citizens to believe that they would have an opportunity to say yes or no to the project at the BAPE hearings?
- when their Mayor stated before the media that the final decision rested with the people, then used his veto to prevent a referendum?

- when the Mayor repeatedly declared that the Municipality could not withdraw its support of the project without risking legal proceedings, while the promoter denies making in threats in this regard?
- when the Municipality and the promoter exclude from public consultation seasonal residents and the residents of neighbouring municipalities, yet claim to give their project a *regional* scope?

How can citizens trust the MRC Pontiac

- when the MRC Pontiac approved the project ONLY five weeks (24.11.2004) after that first public meeting, without bothering to find out if the public supported it?
- when, in June 2005, the Warden of the Pontiac wrote to the City of Gatineau to promote a future engineered landfill site at *Danford Lake*, which, officially, had not yet been chosen?
- when, during a public consultation on 12 June 2006, the MRC Pontiac heard the public overwhelmingly declare themselves against the choice of Danford Lake as a *potential* site for a regional landfill, but requested exactly the opposite from the government, two weeks later?
- when the MRC Pontiac told the public several times, in front of the media, that they would never impose this project on them if they didn't want it, but went ahead and did it anyway?
- when the MRC Pontiac's land planner claimed, during the May hearings, that there is no alternative other than the Danford lake engineered landfill site for the MRC Pontiac, while the Lachute landfill operator made a *written* offer to receive Pontiac's waste on April 23, 2007?⁶

⁵ Jugement du 30.06.2004 (2004 CSC 48)

⁶ « [...] On s'est dit : peut-être qu'il va falloir qu'on considère cette alternative, ce projet-là, puisque c'était le seul qui avait présenté un projet lié à l'élimination des matières résiduelles, en l'occurrence un lieu d'enfouissement technique. C'est certain que étant le seul, pour nous, il n'y avait pas

How can citizens trust the promoter

- when they learn that he wrote to the Mayor of Gatineau that he is supported "by almost 100% of the local population," while a majority of the people are opposed to the project?
- when he said in his impact study that "in general, the organisations met with have given their support to the project," while he only met with two of the numerous organisations that use the region for recreational or touristic purposes?

How can citizens trust the promoter

- when they discover one day that the address of their Web site has been closely copied in order to lure the reader to the promoter's Web site?
- when they learn that the two companies responsible for the impact study—Teknika and Fondex—are acting as both judge and jury, since they would operate the proposed landfill alongside LDC⁷?
- when they read in the June 7, 2007 edition of Le Droit that one of Fondex chief engineers admitted to the Court a day earlier that the wells Fondex drilled on the Cantley dump site do not comply with the Ministry of the Environment's regulations because, he claimed, engineers work to what they interpret as the spirit of the law, and do not necessarily conform to the letter of the law?

d'autre alternative. S'il y avait eu un deuxième promoteur avec une autre alternative, c'est certain qu'on l'aurait considérée. Mais malheureusement, il est le seul qui est venu d'abord vers chez nous et nous avons considéré cette alternative-là. Et à l'heure actuelle, ce que je peux vous dire, c'est que les solutions de rechange sont quasi inexistantes chez nous, à l'heure actuelle, parce qu'on est à la fin d'une échéance qui est prévue dans le règlement. Et c'est certain qu'on aurait considéré les autres alternatives ou les autres solutions de rechange si jamais il y avait eu d'autres promoteurs privés qui se seraient pointés chez nous. » [DT5, Séance de la soirée du 17 mai 2007]

⁷ Letter of 23 December 2005 to M. Shannon Martin, President of the Danford Lake and District Property Owners Association

Finally, how can citizens trust the Ministry of Municipal Affairs

- when, in April 2006, the Municipality and the Ministry of Municipal Affairs dangled the possibility of a referendum before the community, but used laws and regulations during the summer to avoid the promised referendum?

If citizens cannot trust those who want to establish an engineered landfill even before the project begins, how could they possibly have any trust in them afterwards?

All of these points are repeated in a detailed fashion in the brief submitted to BAPE.

In the fall of 2006, the citizens of Alleyn-and-Cawood were forced to face facts: the two levels of government in which they had put their trust and which were supposed to represent them and defend their interests, had—as one Pontiac mayor put it—shut them out of the decision-making.

This is not just *our* reading of events; it is that as well of several Pontiac mayors and journalists who have followed events.

The comportment of the Municipality of Alleyn-and-Cawood and of the MRC Pontiac in this matter raise serious questions regarding the power given to elected officials.

Yes, citizens understand quite well that their elected officials are there to represent them and, in their name, to make decisions affecting the daily affairs of the municipality.

What they do not understand, however, is how three levels of government can work together to prevent them from participating in making a *long-term* decision that involves the well-being and the future of their community.

What we hope for is that, having listened to our arguments, the BAPE will invalidate the sham public consultation organised by the promoter and the Municipal Council of Albyn-and-Cawood.

If, as came out during these hearings, the Ministry of the Environment attaches so *little* importance to the promoter's public consultation, then it should at the very least avoid creating expectations that cannot be fulfilled, because that produces *enormous* frustration and anger, and disrupts the community's social fabric.

People aren't fools; they can tell the difference between something genuine and something fake.

We would also hope that the BAPE will recommend that the concept of "social acceptability" be clarified by making a list of criteria to guide the public consultation process—criteria that are specific, objective, and clear. There is something perverse in letting these criteria be defined by the projects' proponents.

For all these reasons, we believe that the Danford Lake engineered landfill project should not be approved.

Thank you for your attention.