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TITLE:

LDC ENGINEERED LANDFILL
PROPOSAL FOR
DANFORD LAKE

PREPARED BY:

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DANFORD LAKE, QUEBEC
JOX IPO

Madame Chairwoman, Mr. Commissioner:

I am a permanent resident of Danford Lake. My husband and I are both fourth generation residents. We grew up proud to live in a place where most only had the luxury of visiting while on vacation.

We have decided not to support the ELS proposal presented by LDC. We feel it places residents not only here, but all along the proposed access highways, at unreasonable risk. We feel that this method of garbage disposal is archaic. We know that there are other methods of garbage disposal that would better fit our Region's needs. We feel that if allowed to proceed as planned, Danford and neighbouring communities would most certainly be at risk of having recreation tourism become a "thing of the past". Tourism has long been a source of pride here as well as the life blood of our communities. Tourists have enjoyed our premiere skiing, golf, lakes, rivers and wildlife for decades. Coalition petition results have indicated clearly that these people as well as a strong number of permanent residents do not support this project. Therefore I believe it is unrealistic to expect anything other than a negative impact on tourism in our communities could result from this project.

I have many issues with the project itself, perhaps one of the most disturbing to me is the fashion it was brought to public attention. The methods used by our council and endorsed by the promoter have left us feeling that our quiet, largely Anglophone and trusting community was targeted specifically for being quiet, Anglophone and trusting. Entrepreneurs who having tried and failed numerous times in the court of public opinion, in recent years, orchestrated the public approval process in a manner nearly guaranteed not to get the same result. Informed consent was never an option here, as doing so would have required full disclosure of the project details and almost certainly resulted in our community responding in the same way their other prospects had in the past. I remember clearly receiving information from our municipality that offered great detail about the new better method of waste disposal we would soon be using. After carefully reading I was left with the clear impression that we would be doing nothing more than replacing our existing trench landfill in order to meet new provincial regulations. There was absolutely no mention that Danford could become a Regional repository. I cannot believe this was a mere oversight. I feel it was deliberately done in order to guarantee minimal public participation in this critical stage of the process. Or at the very least it was irresponsible and unethical to not present the project accurately in this invitation.

The promoter then proceeded to convince a trusting council that they could give him the mandate to proceed with the studies and afterward base their decision whether to proceed on them. He should have explained to the council that, no matter the condition or suitability of the proposed site the studies could be engineered to get approval from the Ministry. Councillors were then led to believe that once these costly studies had been performed and approved by the Ministry, {regardless of public position}, pulling back council support for the project could result in a costly lawsuit.

Our Mayor promised publicly the decision to accept the EL site would be made by the community. It has been proven beyond a shadow of a doubt that that most certainly is not the case. Time and again, resident after resident had their pleas for a Referendum on this issue flatly denied. We were told repeatedly to wait first for the studies, then for the BAPE process. Many residents, not wanting to believe the worst of our council or the

promoter, took these responses to mean that the community would have a vote at the BAPE hearings. They were left devastated yet again to find that in fact they would be asked to write down their opinion or worse yet verbally present it. Not that they are ungrateful for the opportunity to finally be heard but many have great difficulty with reading and writing and most are completely unaccustomed to speaking in front of large groups. The point? This situation is certainly not the ballot vote they thought they had finally been promised. Residents began to believe the council might have a purpose other than representing community interests. Coalition assistance discovered that a Referendum would be required in order for the promoter to obtain proper zoning of the site and that if the community would not permit this change to occur the project could not go any further. Mid way through this process after ratepayers made it clear they would not allow the zoning change by way of more than 100 letters to the Municipality, our Mayor took it upon himself without a resolution from council, to request the MRC take over the project. This resulted in the community again being shut out of the decision making process. The MRC then stated it would not impose the project on Danford against the people's will but refused to allow the municipality a Referendum in order to make clear its position.

Although many have great anger toward our Municipal representatives, for what they see as gross mismanagement of the situation and utter disregard for their interests, I have a slightly different view. I see a group of citizens who were lulled into believing all they were doing was exploring options and then woke to find themselves trapped between doing what was ethically right and risking the financial future of the community. Two of the councilors who voted in favour of this proposal confided to me that if they would have known the public position was so strongly in opposition they would have never voted to pursue it. That a Referendum was not an option as they found themselves in a position of great pressure, feeling that if they allowed a Referendum and the result required them to pull back support for the project, the promoter would sue the Municipality and they would be responsible.

In view of the promoter's response to questions regarding this issue at the BAPE Q&A session, I would like to know why these two councilors were left with this impression. If this impression resulted from consultation with Municipal lawyers then I would like to know why the lawyers were consulted so late, after council had already taken possibly libelous action.

This project has already put enormous strain on the social fabric of this community. It has resulted in members of a once tightly knit community turning viciously on one another. A vicious, slanderous, and just generally hurtful letter was written and posted (publicly, about many individuals who made their position of opposition known. Which I feel coupled with not being listened to by their Municipal representatives likely resulted in the very unfortunate vandalism that occurred here. Trust has been so broken that some even wonder if dump supporters committed these acts themselves to garner sympathy and create an atmosphere of terror, to encourage the elderly population to side with them. I don't think anyone other than those who actually committed these acts can say for sure who committed them. But I think you'd agree this is not the kind of behavior you'd expect from people that were treated fairly, or felt heard. I believe it is also undeniably evidence that M. Rouleau certainly did not and does not have strong public support for his project as he has stated numerous times.

There has also been an enormous amount of misinformation in regard to this project. I went on a trip to the Lafleche Eng. Landfill in Moose Creek, organized by the Building Inspector and paid for by the promoter. During the trip I made an attempt to clarify project details publicly. During this trip we had the opportunity to ask questions to M. Rouleau, M. Lafleche (the owner/operator of the site we were visiting), as well as the General Manager of the same site. Offering what I believe was a fair opportunity for M. Rouleau to clarify and misrepresentations, I learned that many of the things I had been told were either entirely false or only half true: things like the site we were visiting was much larger than anything being considered for Danford, when in fact it was 100,000 tonne smaller in annual allowance. The site we were visiting had an abundance of naturally existing silty clay, known to be the best substrate for this kind of project, unlike the site proposed in Danford which sits on sand and gravel which is known to be the worst. The owner/operator of the site owned the land the site was established on and his entire family live in the immediate vicinity of it, not simply a seasonal resident in the area like M. Rouleau is here. We learned that radioactivity detectors were not the reliable, indispensable and consistently used tools we had been led to believe. They were in actuality, to quote the General Manager of the Lafleche site, simply "not used". He stated they would go off so often they would be ignored or simply shut off. He stated further and in no uncertain terms, the "radioactivity detectors are seen as nuisance alarms in the industry". The fund we were told would be set up by LDC and gain interest into eternity, in case of a problem with the site? Not so. In fact at the end of a deemed period of liability on the part of LDC, this money would be relinquished entirely to the investors, leaving Danford only with 500 hectares of rotting garbage. The promise to train our fire fighters to meet new Municipal Regulations, a misunderstanding. Only LDC employees would be trained. Actually the Lafleche site seemed to share very little in the way of similarity to the Danford proposal other than Engineered Landfill status. The trucks that accessed the Lafleche site left a 4 lane highway, directly to an entirely independent access route, quite unlike the situation proposed by LDC, who appear to have no issue driving 120+ trucks of garbage along notoriously dangerous single lane highways and directly through the heart of

7 small towns to reach their site. While in the process of getting these things clarified I was verbally attacked by the Building Inspector, told to stop asking questions, that if I continued I'd have the project shut down before it even started. I was hurt, embarrassed and reduced to tears. He later privately apologized for his very public verbal attack and stated that he was angry because he felt I was making he and M. Rouleau look like idiots and M. Lafleche look like a prince.

Initially I felt very badly that I had made him feel that way. Later I realized that I had not created the unflattering contrast he had been embarrassed about, it simply existed. I was however, left feeling very worried. I was concerned that no attempt was made by M. Rouleau to even try to explain obvious misconceptions like the assertion made by some on the trip that Engineered Landfills are virtually odourless. It would have went a long way to increasing my trust of him and respect for him had he bothered to simply explain that nuisance odours are typically not an issue in E.L.s that are as young as the Lafleche site was at the time of our visit. Methane takes time to reach nuisance levels. It was simply too early in the life of this E.L. to assess whether they would be a problem. After this experience I became increasingly concerned that I was likely one of many residents

who may have received seriously flawed information on the project from an individual in a position of Municipal authority. Most people would likely accept this information, perhaps even be unable to read the very technical information offered by the promoter at the Municipal Hall and even if they did meet with the promoter as I had before the Lafleche trip they likely would have no idea what to ask which would result in their being at great risk of getting caught up in a very slick sales pitch. For most here a handshake and a man's word has always been good enough. That may still be fine, even admirable in every day life, but perhaps less than prudent when dealing with investors who stand to gain millions of dollars. Not to say M. Rouleau is not a good person or trustworthy just simply that his motivation in this case needed to be a factor when considering any proposal's suitability for our area.

If you examine the facts, as I'm confident you will, I'm sure you'll agree caution was clearly thrown into the wind by our council as well as every possible attempt made to force it on an unwilling population.

This proposal is absolutely not the least negatively impacting for the community nor does it appear the greatest benefit for the area. Less land destruction, less truck traffic and more jobs have been proposed by a Gasification promoter. Plasma Gasification is being used worldwide and has been implemented most recently by Ottawa, Ontario. I feel strongly it would be in our best interest not to allow ourselves to be committed to another 30+ years of problematic waste disposal, when proven technology is on our doorstep and would require little more than a deadline extension to bring to fruition. However, recognizing the awful possibility of this project being permitted to proceed still exists, my suggestions for modifications are as follows:

1. Bypass routes constructed for the villages of Danford, Kazabazua, Low and Venosta if not all 7 communities, paid for by LDC.
2. All promises made by the promoter to the Municipality be included as conditions of operation of the actual Operation Certificate.
3. A negotiation process be entered into between the community, the Council and LDC to allow the community to request other conditions of operation.
4. Guaranteed no less than \$5 per tonne should go to the Municipality for all types of refuse received at the ELS payable monthly.
5. 4 HDPE liners coupled with synthetic clay liners and inground leak detection under each cell, to be monitored until LDC's period of liability is deemed over.
6. Scrubber technology implemented in conjunction with the methane flares to significantly reduce emissions. A plan to have the flares and scrubber system operational, to be implemented no more than 5 business days from the time nuisance odours are detected. \$10,000 per day fines to be paid to the Municipality and Tourism fund for each day exceeding this deadline.
7. The Environmental Committee members should be elected by the community, all expenses paid for by LDC.
8. A compensation fund established by the promoter to pay for relocation of residents of Danford should they:
 - a. need to be evacuated
 - b. require permanent relocation due to long term problems with pollution or nuisances arising from the operation of the ELS. To be used when deemed appropriate by the Environmental Management Committee in conjunction with the community.

9. A clear and binding agreement entered into between LDC and the Ministry of Environment that after 5 complaints of violations of the conditions of operation specified on the Certificate of Operation, that the Min. of Environment would undertake responsibility for corrective measures, paid for by LDC. That LDC not simply be given deadlines to complete these measures on their own, while the community suffers. No more than two such situations should be permitted to occur before the Certificate of Operation is permanently revoked, at which point LDC would continue to be financially liable. All of which should also be included as conditions of operation.

10. A fund should be created, 2-5% of annual profits from the operation should go directly to increase tourism in our area. The fund should be managed by a group of citizens elected by the community, also a condition of operation of the Certificate of Operation.

11. All jobs should be offered first locally, applicants that are not bilingual and are required to be should be trained at the cost of LDC.

12. All employees of LDC should be trained in the firefighting modules required by the new provincial regulations, as a condition of employment for the length of the project. As well, one non-employee should receive a teaching course in order to train the other volunteer firefighters in the community, also paid for by LDC. Response to fire calls in the community by LDC employees during hours of operation should be at no cost to the Municipality.

13. Leachate should be contained once treated and checked by an independent consultant weekly always before release. Results of water testing should be posted publicly at the Municipal Office, also a condition of Operation.

14. Test wells should be monitored weekly if not daily and any alteration in water quality should result in immediate corrective action as well as ensuring the community is notified. Also a condition of operation.

15. No more than 50,000 tonne annual allowance should be permitted at the onset of the operation. The promoter should have to face the community and hold a referendum to obtain expansion rights.

All of the afore mentioned are suggestions, not meant to replace promises made by M. Rouleau in "The Facts" document that he circulated in the community but should be in addition to. To ensure these promises are enforceable no contract between the Municipality and the promoter should exist outside of the conditions of operation. This would also ensure the community would never find itself needing to go to court with a multimillion dollar opponent for breach of contract.

I would like to stress that I feel the Council of Alleyn and Cawood was taken advantage of. I prefer to believe this rather than the other popular argument that they are in it for personal gain. I think there exists more evidence to support my belief. Also I know these councilors personally and refuse to believe they are capable of selling out for any amount of money.

That being said, I think it is critical you get clear answers from them individually regarding their rationale for initially pursuing and continuing to pursue project. Why did they not put the project out to tender? Perhaps most importantly, why did they feel it necessary to not allow any type of Referendum to occur, even after the community offered to take up a collection to defer other expenses in the Municipal budget and free up funds for it? If further evidence that they were placed in a situation they were wholly

unprepared and unequipped to handle is required, I would like to suggest that each member of Council be required to undergo both French and English reading comprehension testing. I feel this would also assure the population that those members of Council who were so eager to see the studies could actually have been able to do more than look at the pictures.

I would like to take this opportunity, Madame Chairwoman and Mr. Commissioner, to thank both you and your staff for allowing us this opportunity to be heard and for treating us with the respect I have always believed we deserved.

In closing I would ask that you recommend to the Minister of Environment not to proceed any further with this project. I strongly believe rewarding a company for its part in treating a population this unfairly would set a dangerous precedent. Please convey that serious consideration of Plasma Gasification is the responsible way to proceed, at a time when people are demanding better waste management solutions. Also please consider recommending an extension to the 2008 deadline for waste disposal solutions in Quebec. I'm sure the Minister of Environment will agree that the people of Quebec deserve to not be left behind by neighbouring provinces who are embracing better solutions. Thank you sincerely for your time.