

**BUREAU D'AUDIENCES PUBLIQUES
SUR L'ENVIRONNEMENT**

PRESENT: Ms. CLAUDETTE JOURNAULT, Chair
Mr. DONALD LABRIE, Commissioner

**PUBLIC HEARING
PROJECT TO ESTABLISH A
TECHNICAL LANDFILL SITE AT DANFORD LAKE
IN THE MUNICIPALITY OF ALLEYN-et-CAWOOD**

FIRST PHASE

VOLUME 2

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Centre de ski Mont Sainte-Marie
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TABLE OF CONTENTS

TABLING OF DOCUMENTS..... 2

QUESTION PERIOD :

KEN LAPIERRE 4

WENDY MILJAUR..... 7

PHILIPPE CHAMPAGNE 17

PAUL DINGLEDINE 23

RECESS..... 33

ED MASOTTI..... 33

MARIE-HÉLÈNE THOMPSON 38

MICHÈLE BORCHERS (FOR PAM MILES)..... 44

MARY MASOTTI 51

GILLES PELLETIER..... 54

MICHÈLE BORCHERS (FOR PAM MILES)..... 58

JAN McCAMBLEY 65

KEN MOLYNEAUX..... 69

CLAUDE SCHNUPP 74

MS. CLAUDETTE JOURNAULT,
THE CHAIRWOMAN:

5 (Translation) Please address the question to the chairperson and later on we'll be asking
the proponent to introduce himself and to introduce the people who are here with him and to tell us
who might be available this afternoon. We're just talking about this afternoon, here, of course. To
answer your questions, of course we do have a phone line, and if need be, we could contact
10 other people. This also applies to the resource persons, people who are with us here, and they
ought to be in a position, of course, to provide you with additional answers to the questions that
were not answered yesterday evening, and to file documents, if need be, to table documents.

We also have here the mayor of the Municipality of Alleyn-et-Cawood. Because of his
15 health status... no, actually, he will not be here, but he did offer to cooperate and to answer any
questions over the phone line, however, this afternoon. We will be asking him to please actually
answer this afternoon or... this evening or tomorrow afternoon, and we would like to leave
participants to give them an opportunity to ask questions in writing, and the Commission will pick
up on these questions later on, once we do establish contact with the mayor, inasmuch as
20 possible, we will be asking him to answer these questions this evening, and the Commission will
be asking these questions on your behalf. And, of course, the overall tone that we'll try and use
will actually try and make things easier for him to answer these questions.

So without any further ado, we'll move on to the proponent, Mr. Rouleau. Would you
25 please be so kind as to tell us who is here with you and who can be here only this afternoon? And
possibly we'll answer questions over the phone, if need be, with people.

MR. DENIS ROULEAU:

(Translation) Thank you, Madame Chairman. My name is Denis Rouleau, I'm the CEO of
30 LDC Gestion et services environnementaux. To my right, Mr. André Poulin, who is an engineer
and technical advisor, he works with Teknika, an outside firm, he has his team of specialists: Mr.
Gagnon, an engineer; Patrice Bigras, geographer; Patrick Gagnon, engineer; Marc Drouin,
engineer; Jean-François Mouton, engineer, forestry engineer; Jacques Boilard, accoustics
35 engineer; as well as André Guibord, an advisor in communications.

Now, this afternoon we have with us Mr. Marc Drouin, an engineer, who is well-informed
of hydro-geological issues, as well as geo-technical matters.

THE CHAIRWOMAN:

40 (Translation) Very well.

MR. DENIS ROULEAU:

45 (Translation) Thank you.

THE CHAIRWOMAN:

50 (Translation) Do you have any documents to table or any questions that were left unanswered yesterday evening that you'd like to deal with now? Yesterday evening's session.

MR. DENIS ROULEAU:

55 Yes, Madame Chair.

MR. ANDRE POULIN:

60 (Translation) Madame Chair, as mentioned yesterday, yesterday evening, we would like to table documents that provide information as to the system and its efficiency in terms of dealing or treating leachate waters. We've prepared twelve (12) copies, as requested.

THE CHAIRWOMAN:

65 (Translataion) Let's move on now to the resource persons. So first, please introduce yourselves.

MR. JEAN MBARAGA:

70 (Translation) Jean Mbaraga. I'm the spokesperson for the Ministry of Sustainable Development the Environment and Parks. I'm here with Michel Bourret, who's behind me, he's a specialist in geological projects. And in the room we have Mrs. Monique Beauchamp and Carole Lachapelle, as well as the director, Leo Martin.

75 We had documents to table, Madame Chair. These were tabled, in fact. There's the section of the Act that deals with treatment of residual waste, and we will, of course, clarify matters, as concerns the public consultation. All of this has actually been tabled. We were also to table the charts informing us of the different animals that have to be incinerated as opposed to sent to a technical landfill site. And a document by EPA, the American Environmental Protection Agency document, was tabled as well.

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MS. KIM CARTIER VILLENEUVE:

(Translation) Kim Cartier Villeneuve from the Municipality of Alleyn-et-Cawood.

Unfortunately, I'm on my own here this afternoon.

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THE CHAIRWOMAN:

(Translation) Thank you.

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MR. PATRICK AUTOTTE:

(Translation) Good afternoon, Madame Chair. Patrick Autotte from the Ministry of Natural Resources and Wildlife. I'm the sole spokesperson for the ministry here this afternoon.

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As to the documents that had to be tabled that you requested, we have tabled the exchange of letters between the Ministry of Natural Resources and LDC, the private firm in charge of this project. I've only filed one (1) copy, if need be, we can make additional copies. As for the issue of whether or not there are other technical landfill sites on public lands in Quebec, well, this morning, thanks to Mr. Massicotte, we sent a request to seek out the information from all of our regional offices. And as soon as we get a reply, I will communicate this to you.

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THE CHAIRWOMAN:

(Translation) Very well. We had also asked what can be authorized... I mean what kind of project, the private or the public sectors can send requests to... over, and in which situations these can become owners of lands.

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MR. PATRICK AUTOTTE:

(Translation) Actually, what you're trying to find out is which kind of projects can be done on public lands?

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THE CHAIRWOMAN:

(Translation) That's correct. And a distinction needs to be drawn, well, if need be, with regards to... I mean, the private proponent as opposed to local or regional authorities. A board, for instance, a regie.

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MR. PATRICK AUTOTTE:

(Translation) All right. I will be drawing up a document in this regard.

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THE CHAIRWOMAN:

(Translation) Very well. Thank you. Now, the Vallée-de-la-Gatineau RCM, is there

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anyone representing them here? MS. Lussier?

MS. CAROLINE LUSSIER:

130 (Translation) Yes.

THE CHAIRWOMAN:

135 (Translation) Public safety? Public security? These people will be here at two thirty (2:30), I'm told. I just got the answer just now. The City of Gatineau, is the City of Gatineau here? Is it represented? Not yet. Very well then. Thank you. Are there any other resource persons here that have not been mentioned?

140 Oh, yes. The Vigilance Committee now, is there a member of the committee? Is there one that's supposed to be here this afternoon? Yes? All right. If there are any questions to the Vigilance Committee, they can be addressed, of course, here this afternoon.

145 So to start things off, before calling the first person to speak up, to ask his or her question, I have a bit of an announcement to make. The cafeteria will be open at five p.m. (5:00), so if you want to eat at the cafeteria, you're more than welcome. Now then, the first intervener will be Mr. Ken Lapierre.

MR. KEN LAPIERRE:

150 Madame Chair, Committee, my name is Ken Lapierre, I'm a permanent resident in Ottawa, I have a cottage in Aléyn-et-Cawood on Lake George. I'm most preoccupied by the devaluation of my property, so I asked real estate agents if I put my cottage up for sale next year, once the landfill is built and in operation, would the market value of my property go down. The answer was no. A gentleman on our lake resides two kilometres (2 km) from Cook Road Landfill in
155 Gatineau, the value of his home has not diminished, but has risen. Also, they are building five hundred thousand dollar (\$500,000.00) homes not too far from his house.

160 My question is, is it true that landfill sites elsewhere in the Province of Quebec have not affected property values of neighbourhoods or homes? Thank you.

THE CHAIRWOMAN:

(Translation) Do you have an answer to this question, Mr. Rouleau?

165 MR. DENIS ROULEAU:

(Translation) We've found a certain number of studies carried out in Europe and the U.S.

170 on this issue, Madame Chair, which tell us that within a radius of some two kilometres (2 km) and going progressively, there might be certain impacts of the order of two percent (2%) at most, if people are within a few hundred meters of a landfill site. And this would be zero (0) as of two kilometres (2 km) from the landfill site in an urban area. And this very same study tells us that depreciation does not occur in a rural environment.

175 I have a copy, or rather copies of this study that I can table, if you so wish. And I'll give the floor now to Mr. Poulin for additional information.

MR. ANDRE POULIN:

180 (Translation) Mr. Bigras will be telling us about a specific case, something that occurred, that went all the way, actually, to the Superior Court.

185 We're talking about the cemetery landfill site for Sherbrooke City, which is located actually right in the city itself, in Fleurimont Borough. And the residents there are very close to the site, right by it, and there was an attempt at suing the City of Sherbrooke because of the bio gas and a loss in the value of the properties there, and where the concentration of bio gas could be measured in the basement. And therefore, the properties were worth less. And people were asking for financial compensation.

190 And Mr. Bigras will be telling you what came out of this case, which was actually a class action.

MR. PATRICE BIGRAS:

195 (Translation) Yes, Madame Chair. In fact, the decision stated that there was no temporary loss in the value of the property because of the bio gas in the residences right close to the site. And we may want to remember that some of the owners had to evacuate their homes because of the presence of bio gas. And so this was a source of inconvenience.

200 But the claim in the class action was to the effect that owners had seen a reduction in the value of their property, an important one at that, during that period, and that this loss actually was not demonstrated to the court's satisfaction, so the class action was rejected.

THE CHAIRWOMAN:

205 (Translation) Was there an appeal?

MR. PATRICE BIGRAS:

(Translation) No, there was no appeal. We do have the decision, and this can be

210 tabled.

MR. DONALD LABRIE,

COMMISSIONER:

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(Translation) How close was the house or how close were the dwellings?

MR. PATRICE BIGRAS:

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(Translation) Well, if memory serves, I think some eighty (80) dwellings were involved in this class action, and some of these homes were as close as... well, less than a hundred meters (100 m), say fifty (50).

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So this is really an urban site in people's backyards, so to speak. And so, the dwellings were all around the site, practically.

THE COMMISSIONER:

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(Translation) You're saying that the dwellings did not lose any value temporarily. Does this mean that in the mid and long-term... I mean, maybe the class action did not deal with this issue of the mid and long-term, but in the mid-term to long-term, what would the court's decision be, or what did the judge say?

MR. PATRICE BIGRAS:

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(Translation) Well, that was not dealt with in the case of this court's decision.

THE CHAIRWOMAN:

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(Translation) All right. Thank you. Are these dwellings that were built after the creation of the site, or were they there already? Because oftentimes this will have an impact.

MR. PATRICE BIGRAS:

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(Translation) I believe some of the dwellings were built after the development of the site. It's been around for a number of years now, this site, so many of these dwellings are recent.

THE CHAIRWOMAN:

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(Translation) And so we can't really compare. Oftentimes we take into account the fact

that there is a source of nuisance that was set voluntarily as well as involuntarily. In other words, this source was created after people had built their dwellings. This may have an impact?

MR. PATRICE BIGRAS:

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(Translation) Well, yes, indeed. But on the other hand, some of those dwellings were there before the site was opened, and the court did not distinguish between the two (2).

THE CHAIRWOMAN:

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(Translation) Very well. Please do table the court's decision. This may be useful for everybody. Thank you. Wendy Miljour?

MS. WENDY MILJAUR:

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My name is Wendy Miljaur, I'm a resident of Kazabazua. I do pay taxes in both Kazabazua and Aléyn-et-Cawood. I live along Highway 301. I'm about maybe three hundred meters (300 m) from the village line. I also have property on a lake, this is in Kazabazua, it's McConnel Lake.

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I've lived on that highway for twenty-nine (29) years, my husband's family has lived there for about forty (40) years. We've watched for years the logging trucks going by every day, every, whatever, hour, whatever.

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I just want to know if there's any difference between a garbage truck and a logging truck. Like, what will the difference be in... like, in terms of noise or... is there studies on this?

THE CHAIRWOMAN:

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(Translation) Mr. Rouleau?

MR. DENIS ROULEAU:

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(Translation) Thank you, Madame Chair. I'll give the floor to Patrick Gagnon.

MR. PATRICK GAGNON:

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(Translation) Good afternoon, Madame Chair. On the issue of noise caused by the trucks, one has to understand that the lumber trucks are larger, so that's one first point. They're larger, and therefore the noise caused by those trucks... well, you have the brakes and the fact

that the road suffers the impact, and there's the issue of the suspension of these trucks and their speed.

295 So where noise is concerned and the difference between the different vehicles is mostly the size of the truck, or due to the size of the truck, especially if we're talking about a rather short distance, three hundred meters (300 m).

300 As for vibrations, there are impacts on the land or the soil, and this may create noise as well. But it's mostly the size of the vehicle that will produce more or less noise.

305 So the lumber trucks, of course, are larger, and the garbage trucks generally are seven-ton trucks. And semis, well, these are the same kinds of trucks that you see on the road carrying commodities, merchandise, so generally they have good axles and good tires and they can absorb shocks.

And, of course, the Ministry of Transport deals with these issues.

310 And where noise is concerned, I would think that the lumber truck probably makes more noise. And to reduce noise, the use of brakes to... of the motor to brake the vehicles is generally prohibited, and there are signs put up by the ministry and by the municipality so the trucker should not be using the motor to brake in the city areas, or in the village.

THE COMMISSIONER:

315 (Translation) We've noticed during our two (2) visits to the site on Route 301, we've noticed that the pavement on 301 is in rather bad shape, and so a truck driving down this kind of... well, a newer pavement, would cause less noise, especially in that area.

320 Because of the bad pavement, I imagine you'd be getting more noise because you're also getting more vibrations. Am I right?

MR. PATRICK GAGNON:

325 (Translation) Well, yes, indeed. If the pavement has a lot of holes and... I mean potholes and... or if you have manholes as well, all of these might create more noise and louder noise. So it's very important to do good maintenance. And this is part of our action plan.

330 We'll be working with the Ministry of Transportation, they're in charge of maintaining the roads. Now, Route 105 and Route 301 have been selected by the Ministry of Transportation in their nineteen ninety-six (1996) two thousand and eleven (2011) plan as the trucking routes for the region, as we try and develop the region. So since nineteen ninety-six (1996) they've been

insisting on the fact that they need more maintenance on these roads.

335 There's quite a list that I could table dealing with the maintenance on these two (2) roads
and the pavement of the shoulders, resurfacing. And these are all things that provide for better
pavement. And to improve safety as well, by the way, because it is the trucking network. I could
show you a map and you would see, and this is a map produced by the Ministry of Transportation.
And you can see what is used for trucking in the Outaouais, the 105 and the 301 are the roads
that are used.

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THE CHAIRWOMAN:

345 (Translation) We'll be dealing with this later on because the Ministry of Transportation will
be here later on. They'll be in Gatineau, actually, to talk about these matters. Does this answer
your question, Madame?

MS. WENDY MILJOUR:

350 Yes, thank you.

THE CHAIRWOMAN:

(Translation) Thank you.

355 THE COMMISSIONER:

360 (Translation) A follow-up question as to the number of trucks, volume then. Right now,
according to the figures, when the trucks were counted between April and August two thousand
and five (2005) by the Ministry of Transportation, over a nine-day period actually, on average you
get a hundred and sixty-two (162) trucks a day, daytime. Is this correct? Is this right? So this is
what we get, we find this in the document PR5.1 on page 18.

MR. DENIS ROULEAU:

365 (Translation) Thank you, Mr. Chair. I'll give the floor to Patrick Gagnon.

MR. PATRICK GAGNON:

370 (Translation) Yes, indeed, Mr. Commissioner, the Ministry of Transportation did count the
trucks in April and in August over nine-day periods.

We have to understand that when the impact study was done, we used a percentage for

375 the number of trucks, a percentage that can be found because of their work, but this has to be validated over a longer period. So we re-counted this two (2) other times, in April and August, and this did confirm that basically those are the figures, that's the number of trucks. And this is in line with what the ministry had found.

THE COMMISSIONER:

380 (Translation) So it is also in the same area that the increase in the number of trucks will be greater. And you believe that we'll be getting a hundred and twenty-two (122) extra trucks a day.

MR. PATRICK GAGNON:

385 (Translation) Well, no, one hundred and twenty-two (122), I mean, when we count, this is to and fro, so it's actually sixty-one (61) trucks a day, so a hundred and twenty-two (122) to and fro.

THE COMMISSIONER:

390 (Translation) Well, I was comparing with the number of... the other figure, one sixty-two (162), this was the same thing, to and fro? Half as many trucks, to be able to compare apples with apples?

395 MR. PATRICK GAGNON:

(Translation) Yes, that's correct. When they do count, it's the number of times a truck goes by, so to and fro. So in both directions, if you will. So the figures will include all of this.

400 THE COMMISSIONER:

(Translation) You'll be having an expert coming in, the man that did the study on the issue of noise will be here this evening, so we may have more questions later on.

405 But as to the number of trucks, once again, in the same area, you say that the percentage in terms of the increase of trucks will be twenty-three percent (23%), twenty-three percent (23%) increase. Is this right?

MR. PATRICK GAGNON:

410 (Translation) No, actually it's not the percentage of increase, it's the new percentage of trucks at that spot. You have to understand that in the region, 105 and 301, there's a

percentage of trucks that varies between twenty and twenty-two percent (20 and 22%), so it's still already rather high.

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THE COMMISSIONER:

(Translation) Well, I had understood that, but for the residents what is important is not the percentage of trucks that will be increased, it's the percentage of trucks... I mean, it's not how the percentage will increase or how the number... but how many trucks there will be, how many more trucks there will be.

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So you say there's an increase of about twenty-four percent (24%), but we're talking about one hundred sixty-two (162) and we go to one eighty-four (184). So the increase would be higher than that, seventy-five percent (75%) additional transits on this part of the road?

425

The study does not show that, but when you take the figures... so perhaps you could review your figures and give us a more definite answer this evening. If you do this... you can do the same calculations on 105, where there are fewer trucks and where the percentage of increase is lower. But if you take that increase, you have the same figures, but presented differently. Do you understand?

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MR. PATRICK GAGNON:

(Translation) Well, we can give you more information this evening, yes.

435

THE COMMISSIONER:

Thank you.

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THE CHAIRWOMAN:

Mr. Pierre Ricard of the Municipal Affairs Department, who is with us. Yesterday we had... well, many questions were addressed to you relating to the right of review, the rights of citizens, relating to the possibility to complain to the municipality, to the MRC, relating not only to the setting up of the site and the increase of the site, but also relating to the origin of the residual matter.

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So could you update us on that? And a question was asked about this, if there was a referendum in a township where citizens said no to the setting up of a new site, according to the zoning regulation, would the RCM be able to decide on its own that there would be a site created in that township and the provisional or temporary control regulation, would that be applied extensively or specifically to very specific cases? It's about this issues that we'd like to have some more information.

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MR. PIERRE RICARD:

460 (Translation) Well, Madame Chair, Mr. Commissioner, good afternoon, first. You've asked quite a few questions here. Let's take the first one. Here we're dealing with two (2) townships, there's the RCM and the local municipality. Each of those organizations has responsibilities, obligations and powers that are different, and sometimes they are similar.

465 The RCM has two (2) big mandates. The main mandate is to set up a land use plan and to deal with the value of property, of course. But here we're dealing with the land use plan, so the powers of the RCM relating to the land use.

470 Now, a land use plan is a type of regulation that applies to all the municipalities on the territory. So all the municipalities have to respect the plan. So when the RCM plans for the setting up of a landfill site or when it decides that there would be roads, airports or vacation or holiday houses, whatever, normally the municipality has to respect the land use plan. That is an obligation under the Act. So it is the local municipality that has the power to determine what will be... what will apply to the whole territory of the RCM. In the case of local municipalities, they have to meet the requirements of the land use plan and...

475 THE COMMISSIONER:

(Translation) Don't worry, we're going to repeat all what has been said, you know, in a few minutes, once the technical problem is solved. Be patient.

480 THE CHAIRWOMAN:

(Translation) All right, we'll get back to business. Mr. Ricard?

MR. PIERRE RICARD:

485 (Translation) Do I have to start all over again?

THE COMMISSIONER:

490 (Translation) Well, more or less, yes.

MR. PIERRE RICARD:

495 (Translation) Well, let's get back to the referendum issue. There's two (2) types of referendums that can be organized according to the legislation. There can be referendums that are being called compulsory or that lead to a decision, and some that are just of a consultative

nature.

500 Consultative referendums are based on legislation, like religions... legislation on land use.
When a township wants to change a zoning regulation so there can be a referendum to be
organized according to conditions established in the Act, and when the conditions are not met,
like a number of persons having signed for a referendum, the township does not have to hold a
referendum.

505 If enough people, according to the Act, ask for a referendum, then the township has to
organize a referendum. If it cannot, then it withdraws the regulation.

510 It's the same thing for when it wants to borrow money or when it wants to change the size
of its territory or there is a merging of municipalities.

515 Now, about non-binding referendums or consultative referendums, they are still regulated
by the appropriate act, but they are consultative. And so, a township cannot be forced to hold a
consultative referendum. The municipal council decides on its own whether it wants to hold a
consultative referendum or not.

515 And as it is consultative, even if the citizens are opposed to a measure, the municipal
council still remains the authority able to decide, to make the final decision.

520 Now, obviously, according to my experience, I can tell you that it is rather rare that a
council would go against the wishes of a population if it lost a referendum. But it is the rule.

THE CHAIRWOMAN:

525 (Translation) Carry on. Carry on.

MR. PIERRE RICARD:

(Translation) About what now?

530 THE CHAIRWOMAN:

(Translation) Well, about the power of the RCM to impose the setting up of a works on the
territory of a township.

535 MR. PIERRE RICARD:

(Translation) Well, in the land use plan, generally speaking, when it is passed, you find
in the plan the main things that are on the territory. Now, because a land use plan is something
that changes over time, over the years, it may happen that things have to be done or new

540 infrastructures, new buildings, have to be built, and so the RCM has the possibility to change the
land use plan. And in some cases, it may use what is called a temporary control regulation in
order to freeze the situation, and also to allow for the implementation of a given type of
infrastructure.

545 Now, that temporary regulation would apply as if it were effective. And in that type of
situation, then the government is involved. The minister has to give his opinion. And obviously
various other departments have to be involved. And if the minister decides that the temporary
regulation should be implemented, then they go ahead. But authorization has to be obtained from
the minister. It is the same thing with any major change to the land use plan, it has to be approved
by the Municipal Affairs Minister.

550 And so, in that case you have a temporary regulation that has been approved by the
RCM.

555 THE COMMISSIONER:

(Translation) Now, would this regulation have been submitted to the Minister of Municipal
Affairs?

560 MR. PIERRE RICARD:

(Translation) Yes. Normally, yes.

THE COMMISSIONER:

565 (Translation) Do you know if it has been approved?

MR. PIERRE RICARD:

570 (Translation) Well, if I remember correctly, I think it has been. I say if I remember
correctly because I'm not dealing with those issues. But it would have been submitted to the
minister, yes.

THE COMMISSIONER:

575 (Translation) And then is the RCM obliged to take into account of the concerns of the
citizens or of the concerns of a township in that the municipal council of Alayn-et-Cawood has to
give an authorization for the project? Is that an essential condition for the temporary regulation to
be implemented and for the project to be built? Does the project has to agree with the decisions of
the municipality?

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MR. PIERRE RICARD:

585 (Translation) Well, no, it is not an obligation, it's the RCM that decides on its own if a temporary control regulation has to be implemented, has to be passed, in order to set up a given infrastructure or something relating to zoning or to land conservation or water conservation or so on.

590 The RCM does not have to ask for the authorization of a township, it will get the authorization of the whole of the township through the vote of the council, so its council, the council of the RCM, it may be on that council a mayor will vote against, but the other mayors would feel that it is very important and they will vote "yes", so it will be a majority decision.

595 In this case it did not happen, but there were serious discussions at the RCM. And there is no public consultations has been passed by the municipal council... no, by the RCM council.

THE COMMISSIONER:

And what was the proportion of for and against?

600 MR. PIERRE RICARD:

(Translation) Well, I don't know. I don't think there were too many abstentions on this matter.

605 THE CHAIRWOMAN:

(Translation) Mr. Rouleau?

MR. DENIS ROULEAU:

610 (Translation) If I remember correctly, it was thirteen (13) for and five (5) against. As to the date when it was adopted by the Municipal Affairs Minister, yesterday Mr. Pierre Duchesne referred to that, he gave us the exact date of the day when the minister signed the regulation, I think he repeated it twice. It's January thirty-first (31st), I'm being told.

615 THE CHAIRWOMAN:

620 (Translation) All right. Now, about the Department of Sustainable Development and Parks, there has been an issue in Quebec relating to the management and implementation of various equipments and of the sites, of landfill sites, and the role of the local authority, that is the RCM and the role of land use plans.

625 Could you tell us if within those plans... what you expect as a type of consultation? And what was the spirit of the policy relating to consulting the local people, the people of the territory where the landfill site would be established?

MR. JEAN MBARAGA:

630 (Translation) Well, I have to tell you, Madame Chair, that generally speaking, in those commissions what is important is the activities of recycling and they did rarely... well, not rarely, but not as often about the implementation of technical landfill sites. But obviously they have to deal with the discharge of residues and to recycling and so on. And the number of sites that are to be used, where they would be set up, but they will not say we intend to establish a technical landfill site here or there.

635 On the other hand, as I said yesterday, where it relates to the management plan of residual matters, they have to do, at the minimum, two (2) meetings, and if there is more than one (1) municipality, they may hold two (2) meetings in each municipality. So in the case of the Pontiac RCM, what I understood is that they had those two (2) meetings, the held the meeting...
640 as for Danford Lake, I don't know if they had... where the meetings were held, I don't know, but the meetings were held, they were obliged under the Act to hold those two (2) meetings, and they were held.

THE CHAIRWOMAN:

645 (Translation) These two (2) meetings now, is it the Ministry of Sustainable Development, the Environment and Parks that provides the overall framework or is it the Municipal Affairs Ministry?

650 MR. JEAN MBARAGA:

(Translation) Well, if you're talking about residual waste, it's the Ministry of Sustainable Development and so on.

655 So they have to send that ministry proof that the meetings were held and were held according to the regulations that apply.

660 Well, I'm not in a position to confirm this, but normally, when Recyc-Quebec, which got the mandate to validate and to check what the plan was all about before sending in a recommendation to the minister, well, this is part of the whole process.

THE CHAIRWOMAN:

(Translation) Can you look into this, because we do have the management plan. We

665 have excerpts in the impact assessment study that tell us, and this is PR3.1, so in here we find, for instance, this matter of... on page 17 they're quite open to be receiving residual waste from the Outaouais region and possibly from the City of Gatineau.

670 Now, the fact that this is mentioned in the management plan, does this mean that this information was relayed to the population and what kind of consultation occurred for people to be consulted?

MR. JEAN MBARAGA:

675 (Translation) Well, this was going to be my point, Madame Chair. Section 43.5 does mention a public consultation, not just a consultation between public bodies, and it states that during public meetings we have to make sure that explanations of what this is all about has to be provided. We're talking about the major organizations that wish to have their say. So it's the population at large that will be consulted, not just city officials.

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MR. ANDRE POULIN:

685 (Translation) I'm sorry to interrupt, Madame Chair, it's just that a while ago you asked a question to Mr. Mbaraga, and we have the answer here, because we do have a copy of the management plan for residual waste that was approved and adopted by the ministry May twenty-third (23rd), two thousand and six (2006). And in appendix 3 to this official plan, it is mentioned where the meetings were held in May two thousand and three (2003), et cetera, in Shawville and in Walton.

690 Also, the public notices, the agenda and the outcome and the way things unfolded in these public meetings and so on and so forth. In other words, appendix 3 is certainly an information that provides this kind of information to the Commission.

THE CHAIRWOMAN:

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(Translation) Thank you. Now then, moving on, Mr. Philippe Champagne.

MR. PHILIPPE CHAMPAGNE:

700 Madame Chair, Mr. Commissioner, my name is Phil Champagne, I own a cottage close to Danford, on Littleshay Lake, and very close to Highway 301. And in fact, my mother was born and raised in Danford, so this whole area has a lot of meaning for me.

705 My question is technical in nature and it comes from the main report, sections 32.10 to 32.13. The study of this site shows a top layer of decayed vegetable matter. The study of the site shows a top layer of decayed vegetable matter, then a layer of coarse sand, followed by a layer

of fine silt-laden sand, and finally, bedrock. This is from the report.

710 In several areas, the water table is actually in the coarse sand layer, the bedrock is very close to the surface in the southeastern sector. Using an average migration speed of untreated leachate close to that in fine sand, the study concludes it would take one hundred forty (140) years for leachate to reach the western property limit. Had coarse sand data been used, this time would be only twenty-eight (28) years.

715 In addition, no study was done on the underlying rock base. If the rock is fractured, then untreated leachate could travel very fast along fissures and could even reach the site's perimeter in less than one (1) year.

720 So my question to the promoter is: in view of the lack of use of coarse sand data and the fact that no attempt was made to determine if the rock had fissures, does the promoter feel that the predictions of the time for untreated leachate to travel to and contaminate the nearby wetlands, Grove Creek and the Picanoc River, are still valid, or will the promoter carry out the necessary measurements and recalculations and publish the results?

725 THE CHAIRWOMAN:

(Translation) Mr. Rouleau.

MR. DENIS ROULEAU:

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(Translation) Madame Chair, I'll give the floor to Mr. Marc Drouin.

MR. MARC DROUIN:

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(Translation) Good afternoon, Madame Chair. My name is Marc Drouin. There are two (2) questions in there, I'll deal with them one (1) at a time. And I would like to seek out clarification as to the gentleman's question. The first question, or the first question that I think I see in there has to do with the bedrock. I'd like to get further clarification on the part of the gentleman.

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Where did he see that we'd observed rock there? It is true that in the southeast sector of the landfill site, we did see that it was rock or bedrock, but overall on the site, based on my studies, and we did drill, we didn't see rock as of fifty meters (50 m). And most of the drillings ended at around twenty meters (20 m), and we did not see any bedrock.

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So it's only three (3) of these that we did using... we dug holes and we saw bedrock at three or three and a half meters (3 or 3½ m) or so.

THE CHAIRWOMAN:

750 (Translation) Mr. Champagne, can you specify the location or where this bedrock was seen that you're mentioning?

MR. PHILIPPE CHAMPAGNE:

755 I'm afraid at the moment I can't give more specific details on the bedrock. This information was taken from the report through a study that was done for the coalition. And they reported that the bedrock was one of the layers that was reported in the main section of the report that I quoted. So I can't add any further detail right now, perhaps... unless the coalition has the experts present that carried out this study.

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THE COMMISSIONER:

(Translation) Do you have this study that you're alluding to? Do you have it with you? Could this be tabled with the Commission?

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MR. PHILIPPE CHAMPAGNE:

I don't personally have that study, but there is a representative of the coalition present, could they answer that question?

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MR. RAY THOMAS:

My name is Dr. Ray Thomas, I'm a professional engineer and member of the executive of the coalition.

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780 Yes, I do have a study done by an engineering firm which we engaged. It is our intent to submit that report in a presentation in the second part of the hearings. But I can say that bedrock was found in positions P31, P26, P32, these are numbers related to the site, and many of the other parts of the site that they did. The only thing they did was use a shovel and dig to a very small depth in the middle of the site. They certainly did find depths of sand more than forty-eight meters (48 m).

THE CHAIRWOMAN:

785 (Translation) In order for this to be transparent, it would be useful for us to have this information immediately during the first part of the public hearings so that we can answer all questions and seek out answers. If we wait until the second part of the public hearing process, we will have very little time to seek out additional information.

790 So I would like to invite you to ask your organization authorization to table this document
as soon as possible.

MR. RAY THOMAS:

795 I will check with the coalition executive on that issue.

THE CHAIRWOMAN:

(Translation) Thank you. Moving on now then.

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MR. MARC DROUIN:

(Translation) I would like to add additional information. I do agree with the last gentleman
in what he said. Yes, indeed, those places where saw that there was rock, bedrock, was at P31,
805 22 and 26, which is actually at the very limit, southeast, actually, of the landfill site or landfill
area. So we're not in disagreement with what has been said.

As for the rest of the info, there are twenty-nine (29) holes that were dug at depths of up to
four to four and a half meters (4 to 4½ m) and twelve (12) holes that were dug, using drills,
810 actually, at depths of up to twenty meters (20 m), and one in particular at the centre of the site
was done up to fifty meters (50 m) in depth.

Except for the three (3) that I've mentioned then, we did not see any bedrock there. So
the strata is basically coarse sand in surface and finer sand deeper down.

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Now, as for the characterization of the rock, for the speed of flow, et cetera, I didn't
observe any of this, so I don't think this needs to be done. This doesn't really apply. And as to the
other aspect, the speed of migration, we did use the average... rather, the hydraulic conductivity,
the average one, for the finer sand, more silt-like, to calculate migration speed. I think this is the
820 one that's used in the report, yes.

Now, as to the migration speed, in coarser sand, more permeable sand, speed would be
significantly faster. I have a chart, so I could give you what the values are for these.

825 MR. ANDRE POULIN:

(Translation) Madame Chair, as Marc is seeking out this information, the three (3) that we
did where we found bedrock, after we found that there was rock, my design team decided to build
a burial site north of these three (3) holes, which is why when we define the burial site or landfill
830 site and the cell site, that's different, the landfill site is the whole buffer zone, the places

where we have water treatment operations and so forth, but if we're talking about the cells with the geo membranes, these will be located, because of these results, north of those three (3) holes. So there will not be any leachate going into the bedrock, because the cells are north of these areas. Thank you.

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MR. MARC DROUIN:

(Translation) So going back to average migration speed, the migration in finer sand on average is about two point eight meters (2.8 m) per year, so if we're talking about less fine and coarser sand, we're talking about twenty-seven meters (27 m) a year.

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Now, the migration times, in other words, the time required for a drop of leachate to move from the landfill site, from the area itself, until... up to a certain point, well, we would have to decide what point that is, but say up to the limit of the property. I think that's some four hundred meters (400 m). And therefore we calculate and we say it's a hundred and forty (140) years. For a drop at an average speed of two point four meters (2.4 m) per second to reach the outer limits of the property.

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Now, of course, we could do the same calculations if you want more detailed information for the migration speed between the burial site or the landfill site and other places, not a problem. But as Mr. Poulin said, we have to distinguish between the place where the land is being filled and the limits of the property.

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THE COMMISSIONER:

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(Translation) So when you'll calculate the average migration speed, you take into account the granular... granularity of... and the migration speed takes into account the characteristics of the soil, the granular quality of the sand and the location of the cells?

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MR. MARC DROUIN:

And the hydraulic... yes, hydraulic gradient, the potential... I mean the hydraulic gradient of the aquifer.

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THE CHAIRWOMAN:

Does this answer your question, sir?

MR. PHILIPPE CHAMPAGNE:

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Well, it does answer the question that parameters for fine sand were used, and if parameters for coarse sand had been used, the length of time would be ten (10) times less. It

doesn't answer the question whether those numbers will be changed or corrected.

875 THE CHAIRWOMAN:

(Translation) I'd like some clarification as to the question. I'm not sure I understood the meaning of the question. Could you please repeat your question?

880 MR. PHILIPPE CHAMPAGNE:

885 Yes, you said that the migration rate in fine sand is two point eight meters (2.8 m) per year and in coarse sand is twenty-seven meters (27 m) per year, a factor of ten (10). And my original point was that had the coarse sand data been used, that the migration time to the edge of the property would be fourteen (14) to twenty-seven (27) years, rather than a hundred and forty (140) years. And so you have responded in the positive way to that.

And the question was, will you change those numbers based on a more realistic use of coarse sand and migration rates?

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MR. MARC DROUIN:

895 (Translation) Well, when we calculate this kind of thing, we have to take into account the overall environment, the overall context, the strata, when we try and see what the migration will be for the ground water. Now, in the case... in this specific case, the strata of soil that is coarse is discontinuous throughout the site, all the more so since the water table's upper level, upper limit, is not always within the coarse sand. So migration or most of the water circulates in the finer to mid-size sand.

900 So when you calculate, it would be wrong to say, well, the whole circulation is done in coarse sand when most of it is actually in finer sand or medium-size sand.

905 So this is why we use that kind of average speed for fine to silt-like sand. We're not trying to cheat on the numbers here. In our approach we know that we're basically trying to point out how things are occurring, in what context.

THE CHAIRWOMAN:

910 (Translation) The Ministry of Sustainable Development, the Environment and Parks, have you looked into these calculations? And what's your perception of this information?

MR. JEAN MBARAGA:

915 (Translation) Yes, Madame Chair, my colleague will answer this one.

MR. MICHEL BOURRET:

920 (Translation) Evidently, we have not done all the analysis, but of course, yes, the figures provided in the hydrological study were looked at and we basically agree with the data. Now, the flow rate that is calculated depends on the strata and the context in which the ground water circulates, and it's the finer sand where we find most of the water and the coarser sand is there in a discontinuous manner, closer to surface, and you don't have any ground water there. And therefore we agree with their choice of using that way of calculating things, as they try to see what the rate flow would be.

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THE CHAIRWOMAN:

(Translation) Does this answer your question?

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MR. PHILIPPE CHAMPAGNE:

I guess sort of. I haven't seen the evidence that the proper proportions of fine sand and coarse sand were taken into account, but I think the point is clear and I thank you for your time.

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THE CHAIRWOMAN:

(Translation) Thank you. Mr. Paul Dingledine.

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MR. PAUL DINGLEDINE:

945 Thank you, Madame Chairman. My name is Paul Dingledine, I am a member of the executive of the coalition and I have a cottage on Highway 301, very close to Danford Lake. My question relates to the source and the origins of the garbage that is going to go in the dump. The promoter is intending to build a dump that will take two hundred and fifty thousand (250,000) tons per year, yet he himself, according to the environmental studies that we've seen and according to the promotional literature that LDC has produced, can identify only a hundred and twenty-nine thousand (129,000) tons of garbage in the whole of the Outaouais. And that hundred and twenty-nine thousand (129,000) tons includes the City of Gatineau, which, as we heard last night, is... their participation in this project is far from a sure thing.

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So my question is that even with the available garbage in the Gatineau, you can still only put... the dump is still twice as big as all the available garbage in the Gatineau if... in the Outaouais, if the City of Gatineau participates. Where will the rest of the garbage come from? And if the City of Gatineau does not participate in this dump, is the dump itself viable?

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THE CHAIRWOMAN:

(Translation) Mr. Rouleau.

960 MR. DENIS ROULEAU:

(Translation) Thank you, Madame Chair. I'll give the floor to André Poulin.

MR. ANDRE POULIN:

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(Translation) Thank you, Madame Chair. When we came up with an estimate of the amount of wastes ultimately, and we're talking here about all of the residual waste after recovery and revalorisation or... so everything that is left, you know, taking into account the Quebec policy in dealing with these wastes, we, of course, sought to estimate the quantity, the maximum quantity, that possibly could be sent there in order to assess the environmental impact in the worst case scenario.

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So when you do an impact assessment study, you don't carry it out using the smaller numbers in terms of the smaller number of trucks and the smallest amount of bio gas. Quite the contrary, you will easily understand that we do this using the worst case scenario.

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And so when we carried out our estimates of the quantities... and you have all of these charts and the study, by the way, this is document PR3.1, pages 23 to 26.

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So you have in 2.5 a need to dispose of residual waste, you have here a summary of our estimate using the maximum... the larger numbers in terms of the disposal of residual waste in the Outaouais region. An initial hypothesis that was used was to the effect that given that this is a regional project, all of the RCMs in the Outaouais, including the City of Gatineau, would sooner or later, or potentially, send their waste to the proposed site, except for the Papineau RCM, which, because of its geography, its context, is actually closer to the Lachute site. So this was one (1) initial hypothesis, and it was important.

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And the second hypothesis, and I think that this... it's important for me to point this out, Madame Chair, when we talk about municipal waste and when you talk about jurisdiction over waste, it's actually the residential waste, household waste. We're talking about a waste for which there are calls for tender. And this is part of the legislation, we have to ask for tender submissions for collecting these, transporting them and disposing of them after treating them.

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Now, as for other wastes, which we in our jargon called private or institutional, commercial and industrial waste, commonly called ICI, and all the wastes that are private, but these are CRDs, and acronym for construction, renovation, demolition, so this is not covered

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by the... not part of the jurisdiction of municipalities, these are private wastes.

1000 And those companies ask different other companies to eliminate this waste, where they're trying not to pay too high a price, of course, this is usually the more important criterium when they make their choice.

1005 And yesterday we heard it said that the City of Gatineau produces approximately one hundred and thirty thousand (130,000) tons of residual waste, and this is sent to Lachute, if my understanding is correct of what Mr. Nadeau said yesterday, a hundred and thirty thousand (130,000). So you will easily understand that of those hundred and thirty thousand (130,000) tons, well, we have both residential waste, ICI waste and CRD waste, if I can use these acronyms. I've explained them, at any rate.

1010 Now, the strictly municipal part of this waste, and if you look at the chart 2.3, page 24, so before we can reach the goal sixty to sixty-five percent (60 to 65%) recovery and valorization, you can see that for Gatineau in two thousand and four (2004), eighty thousand (80,000) tons of residential waste, and thirty-nine thousand (39,000) for ICI, and approximately twenty thousand (20,000) for CRD, overall the total would be approximately one hundred and thirty-nine thousand (139,000) tons. So the part that is municipal waste... well, residential, that's eighty thousand (80,000) tons.

1020 Now, if we move on to the chart, to 2.4, actually, and I would like to try and answer in a concise manner. After sixty percent (60%) of these are... or, actually, reclaimed, after we reach the basic goals, well, the City of Gatineau would be producing some... you see this in the chart on the screen, forty-two thousand (42,000) tons, forty-one thousand six hundred and eighty (41,680), actually.

1025 Now, ICI, approximately twenty-three thousand (23,000), and CRD, ten thousand (10,000) tons. Overall, seventy-four thousand (74,000). And if you go through the same exercise after diverting sixty percent (60%) to other uses, the Pontiac CRM, approximately seven thousand (7,000) tons; Collines-de-l'Outaouais CRM, thirteen thousand (13,000) tons, and Vallée-de-la-Gatineau, thirty-six thousand (36,000) tons. Overall total, round figures, one hundred and thirty thousand (130,000) tons. So what's the difference between... I mean, the one thirty (130) and the two hundred and fifty thousand (250,000) tons, this is spelled out in the document.

1035 We have goals, or rather, hypotheses or assumptions, whereby it would be possible for the sixty percent (60%) not to be achieved immediately, as expected, unfortunately, and Mr. Nadeau, by the way, mentioned this yesterday, it is possible that the goals will not be met, this is quite likely, we're talking about two thousand and eight (2008) here, and even in the following years.

So our hypothesis is that instead of sixty (60), it's only fifty percent (50%) that could be recovered, otherwise we could be even more conservative, but we went for fifty percent (50%).

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And there's also another assumption that we came up with; the site in Maniwaki, it was mentioned in their own plan over there in the Vallée-de-la-Gatineau, they might close this one down in two thousand and nine (2009) because it's reached its maximum capacity.

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So all of the townships south of Maniwaki, Mont Laurier... Maniwaki, I'm sorry, might eventually, either through a transfer or when this closes down, could send their waste to Danford Lake, because they're closer to Danford than to Ste-Sophie, because it would not comply with... or that site would not be... could not be used.

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So we've added an extra ten thousand (10,000) tons, I'll give you my figures here. So the quantities would be we have one hundred thirty thousand (130,000) tons, plus ten thousand (10,000) tons from thinning out from Antoine Labelle, plus thirty thousand (30,000) tons which would come from a rate of fifty percent (50%) or sixty percent (60%), plus... so one thirty (130), ten thirty (1030), then in thirty (30) years, by two thousand thirty-eight (2038), because that is the time horizon, the population will increase by about point five two one percent (.521%) per year, so we selected the medium rate, point seventy-five percent (.75%).

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And unfortunately, according to the reports of Quebec City about recycling, there is an increase in the rate of production of waste. So not only because the population has increased, but the population produces more waste. And unfortunately, it's non-recyclable waste.

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So this means that it's another fifty thousand (50,000) tons that would be added through the population increase and the increase in the rate of production of waste. And this does not make two hundred fifty thousand (250,000) yet.

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So a final element, as indicated in the document, page 27, other waste, such as sludge, waste from paper, from old cars, waste from wood plants, also matter from... rejected by selection centres. So we have estimated that whole category would lead to another thirty thousand (30,000) tons, not classified, but admissible, eligible. And so the site would not be allowed to refuse eligible waste, and this leads then to the total of two hundred and fifty thousand (250,000) tons.

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THE COMMISSIONER:

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(Translation) So that's with a time horizon of two thousand thirty-eight (2038), taking into account all the increases. That is at page 274 of the same report, PR3.1.

MR. ANDRE POULIN:

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(Translation) Yes.

THE COMMISSIONER:

1085 (Translation) And so that is the explanation for this two hundred fifty thousand (250,000) tons?

MR. ANDRE POULIN:

1090 (Translation) Yes.

THE COMMISSIONER:

1095 (Translation) And that is the maximum then by two thousand thirty-eight (2038), but you don't have a rate of increase for each year, taking into account all the scenarios that you have mentioned, so you can't tell us what would be the size, the quantity, in two thousand twenty (2020), for instance?

MR. ANDRE POULIN:

1100 (Translation) Well, I mean, there's lots of different factors, like tenders and so on, tenders for private sectors, the private sector companies, but I believe that the company that will win the tender cannot just guess what Gatineau is going to decide, and that would be an important component. Are they going to try and recycle organic matter? Are they going to build a gasification plant?

1105 There's lots of things that we don't know so far. So the rate of increase over the next few years we don't know. One (1) thing is sure, is certain; we had to do an impact study based on the worst case scenario, taking into account the number of trucks, the bio gas production, and so on.

1110 THE COMMISSIONER:

1115 (Translation) Yes, but the question of the gentleman is that if you pull out Gatineau from that scenario, then that would be fifty percent (50%) of your total of two hundred fifty thousand (250,000) tons. Is the project viable then if Gatineau does not get in, does not opt in?

MR. ANDRE POULIN:

1120 (Translation) Well, in the one hundred thirty-five thousand (135,000) tons, you have to understand that the ICIs and RCDs are not under the jurisdiction of Gatineau. So when we say that Gatineau would pull out, Gatineau does not pull out one hundred thirty thousand (130,000) tons, Gatineau pulls out... it's only forty thousand (40,000) tons, forty-one (41), forty-one

thousand tons six hundred and eighty (41,680).

1125 So if Gatineau does not opt in, it does not pull out one hundred thirty thousand (130,000) tons, it keeps...

THE CHAIRWOMAN:

1130 (Translation) Well, you should do that as percentages, because we're saying forty-five thousand (45,000) out of one hundred eighty (180), but you've increased various components. So perhaps you have to provide this as percentages.

MR. ANDRE POULIN:

1135 Well, as a percentage, it would be relative, but when you say that Gatineau would not opt in, based on the percentages, it would be only the residential waste that would not come to Danford Lake, and not the ICI and RCDs, because the issue of transportation and the length of transportation, and I respect Mr. Nadeau's opinion, that the real distance from the transfer centre in Wakefield and the Hull centre, we feel is much farther away, by the way, from Collines-de-
1140 l'Outaouais, up to the Lachute site is one hundred fifty-one kilometres (151 km). And from Hull to Danford Lake, it's eighty kilometres (80 km).

So as far as time is concerned, using the one forty-eight (148) with the number of local villages and the other road, it's not the same length of transportation.

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So very probably, the ICI and RCD waste, when they're going to ask for prices, for quotes, would ask for quotes by phone, merely. And I think that all the ICI and RCD waste of Gatineau would be more interested to come to Danford Lake.

1150 THE CHAIRWOMAN:

(Translation) What about the RCM of Vallée-de-la-Gatineau? What is their strategy in their management plan?

1155 MR. ANDRE POULIN:

(Translation) Well, Madame Chair, you have introduced the representatives of the RCM, so perhaps we could ask them their opinion.

1160 MS. CATHERINE LUSSIER:

(Translation) Yes, Madam Chair, if you allow me, I'd like to bring to your attention a document I have tabled relating to a study done by the Outaouais Region, and obviously figures

1165 are very difficult to calculate, and there may be some differences with those figures that we have been given. But we believe that the municipality and the region, it also includes the ICI and RCD waste. But indeed, we are now at about... a bit less than two hundred thousand (200,000) tons per year. So it's close to the one hundred fifty thousand (150,000).

1170 Now, as to... there has been some confusion about the thinning out site, I did not understand quite clearly what you meant there, because this site is included in an RCM, so... and it's about fifteen thousand (15,000) tons per year. And you referred to thirty-five thousand (35,000) tons, so there is some confusion there.

1175 Now, Labelle also has a landfill site that will probably, or will soon be transformed into a technical land site, landfill site, and so Antoine Labelle won't bring their waste to the Outaouais site.

1180 So in our plan it is true that we have carried out some studies, but the alternatives to landfill for simple reason, because we talk about landfill, it's important, but also recovery of recyclable matter, but we forget about other matter that represents forty percent (40%) of waste, and we have a very high objective of recycling of... or recovery of seventy percent (70%), because it's linked to leachate and gas.

1185 So we have a plan to deal with that type of waste for regions such as ours, the Valley of the Gatineau, three (3)... to have a larger road, it would be difficult to consider because it's a municipality that has just started collecting garbage, so mechanised the garbage with three-lane roads and so on, that's not for tomorrow.

1190 So the alternative is that we would like to want to avoid having a third lane for garbage collecting. And so the plan would allow us to avoid that. But it has been mentioned for the RCM we produce fifteen thousand (15,000) tons of waste per year, and so we cannot have a landfill site or other technology, so this is why the RCM decided to try and encourage the neighbouring municipalities to discuss the issue together, to try and cooperate on the setting up of a new technology.

1195 THE CHAIRWOMAN:

(Translation) We see this proposal in your management plan to work with the others and to... looking at the options. Where are you with that?

1200 MS. CATHERINE LUSSIER:

(Translation) Well, the document that I referred to earlier, which relates to the various scenarios of dealing with the waste in the Outaouais region, that discussion has started in the

1205 fall, and in March we tabled this study, which is a preliminary study, because mostly the RCMs were involved, Municipal Affairs, and the CREO, the Regional Conference for the Outaouais.

And so at this time the four (4) RCMs, and we include Papineau in our study, have come up with a figure of about sixty-five thousand (65,000) tons, which would be not enough. And so in that case, Gatineau would participate for any project to be viable. At this stage we're still waiting for Gatineau to express its intentions.

THE CHAIRWOMAN:

1215 (Translation) Thank you. Now, we didn't have time to look at the document, we just received it this morning, we'll look at it and we'll probably have further questions about that. Now, does that answer your question, or partly?

MR. PAUL DINGLEDINE:

1220 Partly. I think that, if I may just say that in order to reach the total of two hundred and fifty thousand (250,000) tons, you have to make a lot of assumptions, you have to assume that Gatineau is going to participate, you have to assume that all the recycling targets will not be met, you have to assume that their industrial waste is there, that the Maniwaki dumps... you've got to make all those assumptions. If those assumptions are wrong, then you have a dump twice as big as you can fill.

And second, if you make those assumptions, that Maniwaki is going to close, and that... you know, those sorts of things, where are the assumptions on the number of trucks that that's going to generate? And how many trucks are going to be generated by the industrial waste? I mean, if you make the assumption here in the study, surely you have to carry that through for the rest of the study.

THE CHAIRWOMAN:

1235 (Translation) Did you take into account the transportation by the industrial and commercial sector?

MR. ANDRE POULIN:

1240 (Translation) Yes, Madame Chair, we took that into account. In the two hundred fifty thousand (250,000) tons it includes the trucks for transportation, commercial, industrial waste, and RCD, as well as trucks, whether they come or not from transfer centres. Because when they come from a transfer centre, they are semi-trailers, when they come from the municipalities or the neighbouring municipalities, there's no need to have a transfer centre. So it is only seven-

ton trucks. And so the number of transits of trucks has been calculated according to worst case scenario.

1250 Now, obviously all these are assumptions, but you cannot avoid making assumptions when you do an impact study, this is what is required by the directive of the minister.

THE COMMISSIONER:

1255 (Translation) And a study was done by taking into account that there might be different types of trucks?

MR. ANDRE POULIN:

1260 (Translation) Yes. Yes, Mr. Commissioner, because depending on whether it is a seven-ton truck or a 40-ton truck... a while ago you were mentioning, or my colleague mentioned the noise and vibrations, obviously a truck, a logging truck is about... between sixty (60) and seventy (70) tons, whereas a garbage truck, semi-trailer, is between forty (40) and fifty (50) tons. So it was important for us to take that into account, the type of trucks.

1265 THE CHAIRWOMAN:

(Translation) And what happens if Gatineau and the Valley of the Gatineau choose another technology? Would the project still go on?

1270 MR. ANDRE POULIN:

1275 (Translation) Yes, Madame Chair. And I may add that the project would be viable, and one of the major reasons that has to be taken into account is that whatever the technology used to get rid of the waste and to recycle and so on, whatever technology is used by the other municipalities, there will always, always be final waste that has to be carried to landfills.

1280 It is not true that other technologies, the various types of technologies for recycling, for re-use, for thinning out, for selecting, that there is zero waste at the end. No, there is waste at the end. There is always matter that cannot be composted, that cannot be recovered, that cannot be recycled.

1285 And so there's always, in the other technology, in the burning technology or gas technology, there is ash, so you will always need a landfill site, whatever the technology is used. Even Quebec City that has an incinerator, has a landfill site. So saying that... so there will always be a need for a landfill site, whatever other technology is used.

THE COMMISSIONER:

1290 (Translation) You did the impact study based on the worst case scenario. Now, you have established the size of your cells, landfill cells. Now, do you have any idea of the minimum quantity that you could receive, taking into account the waste that would not go to your site, if one (1) or two (2) RCMs did not opt in? You say that there is always a minimal quantity of waste; what would be this minimal quantity and what's landfill site... what size of a site would you need then?

1295 MR. ANDRE POULIN:

(Translation) Well, yes, we've looked at that also, because when you do an impact study you have to study the maximum and the impact and the minimum impact, because the minimum may be as difficult to manage as the maximum scenario. On an environmental basis, of course, it is easier, but on a technical and economical point of view, it may be more difficult.

1300 So we have looked at... would be the minimum quantity of final waste if all the objectives were reached at sixty percent (60%) of development of waste that could potentially be re-used or recycled. And taking into account that the other RCMs and Gatineau would have their own technology, and we ended up with the ICIs and RCDs... CRDs, I have to add something here.

1305 CRDs, construction, renovation, demolition, assumption, I think it is good, is that the new regulation will not include extending or setting up new sites for dry waste matter.

1310 It is known that the Cantley and Val-des-Monts sites will have to close by around two thousand ten (2010), two thousand fifteen (2015), they will have reached their maximum capacity. And so CRDs, which are private matter, will not be sent to very distant sites, because it's heavy, it's very costly.

1315 So CRDs and ICIs, private waste matter, and the Pontiac RCM and a few neighbouring municipalities around Pontiac, which are so close to the market or to the land site that when they will stop calling for tenders, it is sure that unless they get a completely unreasonable price, the chances to win those contracts are very high, depend... I'm thinking of Kazabazua, Otter Lake and so on.

1320 And so we've looked at that minimum, it would be one hundred thousand (100,000) tons per year. And the calculations I explained in the document.

THE COMMISSIONER:

1325 (Translation) And with that quantity, minimum quantity, then the project is viable. And what would be the size of the site required? Would the space be limited for building the cells?

Do you need as much space?

1330 MR. YVES GAGNON:

(Translation) Well, Mr. Commissioner, obviously if the assumption is that there's a life cycle of about thirty (30) years for about one hundred thousand (100,000) tons per year, obviously the size required on the ground and in height, then that would not be as high, it would have to be reduced. So that could be taken into account. The point would be to optimize the geometry of the site, and also trying to limit the costs, because usually the costs are linked to the size of the site on the ground.

1340 THE COMMISSIONER:

(Translation) Thank you.

MR. PAUL DINGLEDINE:

1345 Thank you, Madame Chair. I just would note before leaving that the comments about other technologies requiring a landfill to back them up is not a theory that the coalition accepts, but other people... other people will speak to that at another time.

THE CHAIRWOMAN:

1350 (Translation) All right. We'll have a 10-minute break.

PAUSE

1355 THE CHAIRWOMAN:

(Translation) Mr. Ed Masotti, please.

MR. ED MASOTTI:

1360 Madame Chair, Mr. Chairman. I have a cottage on the lake, it's a lake of about sixty-five (65) cottages, it's in Alayn-et-Cawood, and we are the closest concentration of people to the dump.

1365 I have four (4) questions for the Ministry of Environment, and they're very short questions, most of them can be answered "yes" or "no". May I proceed with the first question?

THE CHAIRWOMAN:

1370 (Translation) Go ahead globally, ask your question globally, so to speak, to speed

things up. The representative, the spokesman for the Ministry of Sustainable Development, are they here? So four (4) short questions, we'll be dealing with it as a single question, because I'm told it's quite brief.

1375 MR. ED MASOTTI:

I will try. As LDC just...

THE CHAIRWOMAN:

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(Translation) There are many people who have registered to ask questions, as you know.

MR. ED MASOTTI:

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Okay. We have somebody else coming behind that could ask a question. As LDC just mentioned, Cantley and Perkins will be closing by two thousand and ten (2010) to two thousand and fifteen (2015). In the August sixth (6th) comments back from the Ministry of Environment, LDC was made aware that Cantley and Perkins may close as early as two thousand and nine (2009).

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When you fed back that information to them, was it your intention or your expectation that that garbage would be going to the Danford dump that was currently going to Perkins and Cantley?

THE CHAIRWOMAN:

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(Translation) Please address the question to me and regroup your questions, put them together immediately, please.

MR. ED MASOTTI:

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That is my question. The other two (2) questions are related to the number of trucks that are going to those two (2) sites currently.

THE CHAIRWOMAN:

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(Translation) And they are addressed to whom?

MR. ED MASOTTI:

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To the Ministry of Environment again.

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In the LDC report they mention seven-ton trucks and 27-ton trucks. The Cantley and Perkins dump maintains records that I believe the Ministry of Environment monitors. Could the Ministry of Environment give me four (4) figures; the number of seven-ton trucks that go to Cantley and the number of 27-ton trucks that go to Cantley and the number of seven-ton trucks that go to Perkins and the number 27-ton trucks that go to Perkins.

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The third question relates to if they don't have that information for the Cantley dump, the office of the mayor of Cantley estimates at least thirty (30) trucks go to the Cantley dump every day. If they don't have the information, or the Ministry of Environment doesn't have information from the registries, will they accept the thirty (30) trucks a day estimated by the mayor's office in Cantley? Those are my three (3) questions.

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THE CHAIRWOMAN:

(Translation) Did you understand the questions dealing with these matters? So this has to do with transportation. Could we have a map so that we may understand what we're talking about here? Now, while we look for the map, could you repeat your first question, please? We will authorize people to answer.

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MR. ED MASOTTI:

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Okay, thank you. In your August sixth (6th) comments to LDC, you stated that the Cantley and Perkin dumps could close as early as two thousand and nine (2009). By making this comment, was it your expectation that this garbage will therefore go to the Danford dump once the two (2) other dumps are closed?

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MR. JEAN MBARAGA:

(Translation) Madame Chair, I would like to know now, this residual waste that the gentleman is talking about, where do they come from?

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THE CHAIRWOMAN:

(Translation) Do you know where this waste comes from?

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MR. ED MASOTTI:

It comes mostly from private contractors in the Outaouais, some of the... so it's primarily from private contractors in the Outaouais that go to these two (2) dumps.

THE CHAIRWOMAN:

1455 (Translation) Can you show us on the map where this is located? Cantley... please use the microphone.

MR. DENIS ROULEAU:

1460 (Translation) You can find the Cantley site directly north of Gatineau and the DMS for Val-des-Monts, Perkins, is around this area, Madame Chair, which is northeast of Gatineau.

THE CHAIRWOMAN:

(Translation) Thank you.

1465 MR. JEAN MBARAGA:

1470 (Translation) Yes, Madame Chair. How should I put this? Closing down this site... well, and the opening up, of course, at Danford Lake, I don't see a link between these two (2) things. If there are people who were to take their waste who are right now using those two (2) sites and they were to shut down, they could go to Danford if they were authorized to do so, or else they could go elsewhere. They could also go elsewhere, so I don't see a direct link. It's as though you were telling me once they close in two thousand and nine (2009), necessarily all the waste would then go to Danford Lake.

1475 MR. ED MASOTTI:

May I respond, Madame Chairman?

THE CHAIRWOMAN:

1480 (Translation) Well, that's your answer, the answer is there is no link, no automatic link.

MR. ED MASOTTI:

1485 Well, in the response of LDC in October, they said... I think, if I read the response properly, it's "the more garbage the merrier and we will welcome it".

MR. DENIS ROULEAU:

1490 (Translation) If we are to be asked if we're open to having another customer, well, yes, we always are, inasmuch as we stick to the authorized capacity.

THE CHAIRWOMAN:

1495 (Translation) Well, as to trucking now, can you tell us what your question actually means?

MR. ED MASOTTI:

1500 What it actually means is that there's a hundred and ten thousand (110,000) tons of garbage that are missing, in LDC's estimate. As the previous person specified, a lot of... where that garbage will come from in the future is accommodated for, but a lot of that garbage can be redirected from Perkins and Cantley up to the Danford Lake.

1505 Okay, so if those two (2) dumps close in two thousand and nine (2009), all of those trucks which are not estimated in LDC's evaluation will be going up the 105 and the 301 to the dump, and that's the reason why I'm asking the MOE how many trucks go to these two (2) sites currently.

MR. JEAN MBARAGA:

1510 (Translation) The gentleman, does he want to know the number of trucks right now that go to the sites that are open?

MR. ED MASOTTI:

1515 To the two (2) sites; Cantley and Perkins.

MR. JEAN MBARAGA:

1520 (Translation) Oh, my God, I would have to take time to talk with the people from the head of the region here to see if they have the numbers of trucks that go to those sites.

THE CHAIRWOMAN:

1525 (Translation) We'll be waiting for that information. We'll be expecting it. You could also ask questions to the managers of those two (2) sites.

MR. JEAN MBARAGA:

1530 (Translation) However, Madame Chair, those sites have been authorized by virtue of the solid waste regulation and there was no obligation to have a register registering all the trucks that came in, they didn't necessarily have records.

1535 THE CHAIRWOMAN:

(Translation) Well, maybe they do have information, nonetheless. Please do check.

MR. JEAN MBARAGA:

1540 (Translation) Yes, Madame Chair, we will try and do so.

THE CHAIRWOMAN:

(Translation) Thank you.

1545 MR. ED MASOTTI:

Thank you. And that answers my questions. Thank you very much.

1550 THE CHAIRWOMAN:

(Translation) Mr. H. Thomson, please.

1555 MS. H. THOMSON:

(Translation) Good afternoon, Madame Chair, Mr. Commissioner, ladies and gentlemen. I'm Marie-Helene Thomson. I have a property by Lake Danford, I've been there for fifteen (15) years, it's my sanctuary in the country, odourless context, no chemical products. (End of translation)

1560 These highways are dangerous, with many logging trucks at all hours of the day and week, I've seen this for myself. We have had many accidents and a few years ago where one of our community members died with her granddaughter, and another granddaughter gravely injured. Another young person returning from visiting her parents at the lake, just to name a very, very
1565 few people that have been killed on these roads. Also, regular roadkill is a big factor, especially with our high population of deers.

This morning I travelled to work from Danford and used Highway 301 and 105; between
1570 five thirty-eight a.m. (5:38) and six twenty-two a.m (6:22), about forty (40) minutes, I counted twenty (20) transport trucks, mostly 18-wheelers, but this did not include school buses or the public transport offered by Lehman.

For my return trip this afternoon, from twelve thirty-three (12:33) to one o'clock (1:00),
1575 about thirty (30) minutes, I counted twenty-eight (28) trucks, not including the nice camper and boat that I saw on the way up.

1580 (Translation) My questions have to do with transportation. Because these roads are used for trucking, they're designated for this purpose, is there a limit to the number of trucks that can travel to and fro on these roads? Also an issue with... while clarifying the information that we just received, the numbers are not precise. So one hundred and twenty-two (122) transits, this can be questioned.

1585 Now, the City of Gatineau, can it give us the data for Lachute? In other words, how many trucks a day with industrial waste and other wastes? And this was mentioned this afternoon.

Also, when there is thawing, when you limit the waste, might we be getting twice as many trucks? (End of translation)

1590 THE CHAIRWOMAN:

(Translation) I'm sorry, what are you saying?

MS. H. THOMSON:

1595 (Translation) When there is a thaw in the spring, there's limit to the weight that these trucks are allowed to carry so will we be getting twice as many trucks in this part of the hundred and twenty-two (122) that were mentioned? And how many private trips do you expect?

1600 Now, also, the promoter mentioned that this would be done weekdays during regular office hours. Is this part of the Act and obligation on LDC, the promoter? (End of translation)

1605 Finally, does the Ministry of Transport plan on fixing these highways by January first (1st), two thousand and nine (2009) that are in very, very bad need of repairs and winding them to accommodate four (4) lanes for this additional very large volume of traffic?

Their plan of nineteen ninety-six (1996) to two thousand eleven (2001) (Translation) minimal improvements to date. Thank you. (End of translation)

1610 THE CHAIRWOMAN:

1615 (Translation) Yes, the Ministry of Transport will be with us tomorrow in Gatineau, so many questions will be addressed to them tomorrow. However, if you have partial answers that you can provide, specifically in terms of the number of trucks, do you take into account tonnage, numbers of tons? I mean, is it different during thawing in the springtime? Would there be more trucks?

MR. DENIS ROULEAU:

(Translation) I'll give the floor to Patrick Gagnon.

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MR. PATRICK GAGNON:

(Translation) Yes, Madame Chair, I would like to point out that when we counted the trucks in April last year, this was the spring thaw, and the number of trucks then was in line with the percentage of trucks that had been measured, so there doesn't seem to be any discrepancy between the spring thaw period and the other times of the year. So it's just a matter of the trucks have to be lighter when they go onto these roads. So this was counted last year during the spring thaw, and we got the same percentage of trucks that we'd seen at other times.

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THE COMMISSIONER:

(Translation) But a garbage truck, when it's full, would that go over the limits that are allowed during the spring thaw? Do you need more trucks because of this?

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MR. PATRICK GAGNON:

(Translation) No, these trucks have normal loads, so to speak. We're talking mostly about lumber trucks that are heavier, they have to carry lighter loads, depending on the number of axles on these trucks.

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THE CHAIRWOMAN:

(Translation) Do you have additional information over at the Department of Sustainable Development? Because I would appreciate it if you were to table this document, your questions, in fact, and we will be sending these this evening or tomorrow morning to the Ministry of Transportation so that they can get ready to answer. Many of the questions raised here are addressed to the Minister of Transportation.

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MS. H. THOMSON:

(Translation) Well, in part, yes, but I also have a question dealing with the legislation and the obligation on the part of LDC to stick to the weekdays and office hours when they do transportation.

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MR. JEAN MBARAGA:

(Translation) There is no specific act that was adopted to accommodate LDC. They are under the same obligations as everybody else. If trucks are allowed to drive daytime, weekdays, of course the LDC trucks can be used weekdays during regular office hours. If there are any

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1660 restrictions because of an environmental assessment, say they could not be driving from this to that specific hour, I mean, if the government were to authorize this project, the specific hours will be mentioned in the decree.

THE CHAIRWOMAN:

1665 (Translation) But there is no regulation that applies, it is the government's decree that would apply and spell out the limits?

MR. JEAN MBARAGA:

1670 (Translation) Yes. Otherwise, LDC will, of course, stick to the very same standards that all of the other carriers have to abide by.

MS. H. THOMSON:

1675 (Translation) One (1) more question. If there is waste coming in, and this is private waste known to be hazardous, could it be allowed that this be done at night, when there is less traffic?

MR. ANDRE POULIN:

1680 (Translation) Well, in section 4 of the regulation, hazardous waste are said to be non-admissible, so they cannot be trans-shipped to this site. So industrial hazardous waste cannot be sent to this site.

THE CHAIRWOMAN:

1685 (Translation) In your impact assessment study you have operational limits that you... for the hours that were in operation?

MR. ANDRE POULIN:

1690 (Translation) Yes. This complies with the operations hours and the two (2) trans-shipment centres in Wakefield and Hull. And for reasons having to do with mitigation, in order not to create problems with... well, the fact that there is holidaying here, vacationing, we will not be working weekends, nor evenings or nighttime.

1695 THE CHAIRWOMAN:

(Translation) As of what time evenings?

MR. ANDRE POULIN:

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(Translation) Well, not beyond six p.m. (6:00). The last truck leaving from Hull generally leaves for Lachute at around -- Mr. Nadeau can confirm -- at around two p.m. (2:00). So it would be getting to Danford Lake at three p.m. (3:00). It could also leave later because we expect to be closing at eight p.m. (8:00).

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THE CHAIRWOMAN:

(Translation) So the barriers would be closed at six p.m. (6:00)?

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MR. ANDRE POULIN:

(Translation) Yes, six p.m. (6:00). Not just the gate, the whole operations would shut down, would close at that time.

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THE CHAIRWOMAN:

(Translation) So no more trucks then on the site?

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MR. ANDRE POULIN:

(Translation) No more trucks on the site, no more operations either.

THE CHAIRWOMAN:

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(Translation) All right. Does this answer your question?

MS. H. THOMSON:

(Translation) Is this guaranteed?

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THE CHAIRWOMAN:

(Translation) Well, this is part of the conditions. When a promoter tables an impact assessment study, he commits to certain things, and the government takes into account these commitments. And if they're not respected, well, the government could ask for operations to stop. This would also apply if the promoter did... the proponent did not stick to the conditions spelled out by the decree. Am I right?

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MR. JEAN MBARAGA:

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(Translation) This is correct, Madame Chair.

MS. H. THOMSON:

1745 (Translation) And so these must be perceived as commitments. Well, if there is... how could I put this? If there is a major storm, say, for instance, and the truck left at two p.m. (2:00), but required three (3) hours or five (5) hours, does the truck stay by the door, by the gate, and wait until the next morning?

1750 MR. ANDRE POULIN:

(Translation) Madame Chair, I've operated a sorting centre and a landfill site, so if there are extreme conditions that occur, there is a certain degree of flexibility. And this can occur once in a while, a few times a year. There is a certain degree of flexibility, we communicate and we agree to... you know, that these are extreme conditions.

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THE CHAIRWOMAN:

(Translation) Say there were a road accident and the road is blocked and you would allow the truck to come anyway, but this would be exceptional?

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MR. DENIS ROULEAU:

(Translation) Absolutely. And the Ministry of the Environment is told if this kind of situation occurs.

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THE CHAIRWOMAN:

(Translation) All right. So we'll address the question to the Ministry of Transportation. Will you be in Gatineau?

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MS. H. THOMSON:

(Translation) Do you know what time tomorrow?

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THE CHAIRWOMAN:

(Translation) Tomorrow we'll be working as of two p.m. (2:00) in the afternoon, and then seven p.m. (7:00) tomorrow evening.

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MS. H. THOMSON:

(Translation) We'll all be there tomorrow evening, but not tomorrow afternoon.

1785 THE CHAIRWOMAN:

(Translation) Very well. Will the Ministry of Transportation be there tomorrow evening? Yes? All right we'll pose the question then.

1790 MS. H. THOMSON:

(Translation) Thank you.

THE CHAIRWOMAN:

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(Translation) Thank you. Pam Miles.

MS. MICHELE BORCHERS (for PAM MILES):

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(Translation) Madame Chair, she's not here today and I will be replacing her.

THE CHAIRWOMAN:

(Translation) Very well. Please give us your name.

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MS. MICHELE BORCHERS:

(Translation) My name is Michele Borchers. This is a question for the Pontiac RCM, or for their spokesperson. In the spring of two thousand and six (2006)...

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THE CHAIRWOMAN:

(Translation) Madame, is the Pontiac RCM represented here? There wasn't anybody initially.

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MS. MICHELE BORCHERS:

(Translation) I think I see the urbanist.

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THE CHAIRWOMAN:

(Translation) Pontiac? No? So your question is addressed to the Pontiac RCM?

MS. MICHELE BORCHERS:

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(Translation) Well, I have a second question that is linked to the first one.

THE CHAIRWOMAN:

1830 (Translation) Let's wait half an hour, if you will, we'll wait until they get here. And we can deal with your question later on, please. We can listen to your question later on? Can we?

MS. MICHELE BORCHERS:

1835 (Translation) Yes. All right.

THE CHAIRWOMAN:

1840 (Translation) We'll call you back when these people come in. So the secretariat, please tell us when the spokesperson for that CRM comes in, RCM comes in. We'll ask you to ask your question then.

MS. MICHELE BORCHERS:

1845 (Translation) So I cannot ask my question to the Minister of Municipal Affairs?

THE CHAIRWOMAN:

1850 (Translation) Yes, you can, go ahead. Yes, you may.

MS. MICHELE BORCHERS:

1855 (Translation) So first, this question is for the Municipal Affairs Ministry or Department. I would like to say first that the citizens appreciated the opportunity during two thousand and six (2006), because he was very available during the year. I wanted to mention it.

1860 In a letter of January two thousand and seven (2007), the Ministry of Municipal Affairs explained to the coalition that he had recommended to the Municipality of Alleyn and Cawood to transfer the file to the Pontiac municipality so that it be dealt with at the regional level. And in that way, avoiding a municipal referendum about the change of zoning.

1865 So this is my question: in the spring of two thousand and six (2006), with the Municipality of Alleyn and Cawood you organized a public consultation about the zoning changes that could end up with a referendum. In the summer of two thousand and six (2006), however, you recommended to the same municipality to transfer the file to the Pontiac municipality in order to avoid that referendum. Now, the citizens don't understand this contradiction. Can you explain?

MR. PIERRE RICARD:

1870 (Translation) So one must understand that the exercise carried out in the municipality was related to several questions, and the whole matter of a site, landfill site, seemed to us to be an issue that should be resolved first at the RCM level, because it related to the land use matters. So we thought it would be important for the RCM to express an opinion first because we might have ended up with the RCM refusing the project completely.

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Actually, we should have started with the RCM first, and then the municipality or the township could have made its own decision if the RCM had refused the project. But if she had refused, or if they had refused, I don't see how it could have carried out. But since land use is a matter coming under the RCM, it was a matter that, according to us, had to be dealt with first by the RCM, so that is why the file was transferred to them.

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THE CHAIRWOMAN:

(Translation) So if the RCM had said no, that would have been the end?

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MR. PIERRE RICARD:

(Translation) Well, we would have had a problem because land use comes under the RCM.

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THE CHAIRWOMAN:

(Translation) And so you say that the RCM has to express an opinion first; if the RCM says yes, then you can apply to the township?

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MR. PIERRE RICARD:

(Translation) Well, normally we should have started with the RCM, yes.

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THE CHAIRWOMAN:

(Translation) But after you had started, what would have happened?

MR. PIERRE RICARD:

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(Translation) Well, then there would have been the temporary control regulation and then the township has to follow that and to implement that. And that regulation is established in case there is a plan... a change to the land use plan, because that is what will happen.

1910 THE CHAIRWOMAN:

(Translation) So this means that the township has no word, it's the RCM that decides?

1915 MR. PIERRE RICARD:

1915

(Translation) Well, very often developers will go to the local municipality, so the first thing we have to check is do the zoning regulations allow for what is considered, being considered. If it does not, then we ask the local municipality to ask that a change be made to the land use plan of the RCM. And when that is done, because we cannot do ourselves the change that is being

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considered.

On top of that, we're on crown lands here, so there's the whole matter of the government being involved. And as I said earlier, when there is a temporary control regulation, the Municipal Affairs Minister, that is the government, because land use in Quebec, like in many other countries or jurisdictions, is the responsibility of the... both of the government and of a local or municipal

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entity. In this case it's the RCM. It's always a shared responsibility. The government is involved and the municipality is involved.

1930 THE CHAIRWOMAN:

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(Translation) So had there been a referendum and the majority answer would be no, would have been no, the municipality could have said yes?

1935 MR. PIERRE RICARD:

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(Translation) Well, yes, because it would have been a consultative referendum, not a binding referendum. If it had related to a zoning change, it would have been different. But here, theoretically, we were not dealing with a zoning change. So in our mind, it had to be dealt with by the RCM first.

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MS. MICHELE BORCHERS:

(Translation) Well, I believe we don't understand anything at all here if we don't know that the whole consultation process or referendum process in the spring of two thousand and six (2006) in the municipality about the zoning change, that whole process was started thanks to the involvement of the Municipal Affairs Ministry, but it was started... or stopped by the mayor as soon as the mayor received more than one hundred forty (140) letters opposed to the zoning change, and which the citizens have not understood yet.

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So this first consultation at the municipal level was stopped by the mayor, was aborted by the mayor. And then it was done through transferring to the RCM because he knew that transferring the file to the RCM avoided the referendum.

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1955 THE CHAIRWOMAN:

(Translation) So can you explain this to us? How did all this started? There was a project or plan to hold a referendum and it was put on ice? What were the various steps? Do you know?

1960 MR. PIERRE RICARD:

1965 (Translation) Well, there are things I know, things I don't know. The normal procedure when a zoning change is being asked for, there is a public consultation or an information session, then there is a register that has to be signed by citizens. And if there is a sufficient number of people who sign, the municipal council decides if they want to hold a referendum or not. If they decide not to hold a referendum, then the process or the regulation is aborted automatically, let's say.

MS. MICHELE BORCHERS:

1970 (Translation) So what has to be remembered is that at both levels, at the local and regional levels, the citizens were short-circuited, actually, because they did not have the... were not given the possibility to be involved in the decision-making process.

1975 THE CHAIRWOMAN:

(Translation) We'll wait for the second part, then you will explain further, if you can.

THE COMMISSIONER:

1980 (Translation) I'd like to ask a question to the representative of the municipality of Alleyn and Cawood. What is the present zoning of the site considered for setting up the landfill site?

(Translation) No, someone says.

1985 MS. KIM CARTIER VILLENEUVE:

(Translation) I believe it is Forestry. It's crown land.

1990 THE COMMISSIONER:

(Translation) So it's crown land, but you have to have a zoning change on crown land, even if you don't own them?

MS. KIM CARTIER VILLENEUVE:

1995

(Translation) Yes.

MR. PIERRE RICARD:

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(Translation) We are on the municipal territory, so even in that case, the crown lands are subject to municipal management, so here they are probably... the zoning is probably forestry, forest use, and if I remember correctly, it was in nineteen ninety-eight (1998) that the land use plan, the second generation of the Pontiac region was passed, and there you have the major land uses that are defined. And the Ministry of Natural Resources was involved, had its say, like other

2005

THE COMMISSIONER:

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(Translation) All right, but according to the question, the municipality proposed to change the zoning to make it compatible with a landfill site. Is that what you said exactly, Mrs. Cartier-Villeneuve?

MS. KIM CARTIER VILLENEUVE:

2015

(Translation) That the municipality asked for...

THE COMMISSIONER:

2020

(Translation) Or, well, proposed a zoning change.

MS. KIM CARTIER VILLENEUVE:

2025

(Translation) Well, in a first step, because when we started our planning project, we started our plans in conformity, and then we had a meeting with the Municipal Affairs Ministry and they told us that our plan... that we needed to change the plan. And so that is when there was a public consultation.

Now, according to our bylaws, the landfill site was still not authorized by our bylaws.

2030

THE COMMISSIONER:

(Translation) All right. And then? And what happened then?

MS. KIM CARTIER VILLENEUVE:

2035

(Translation) Well, then there was the register, then I don't remember exactly the

number, I think there was about one hundred forty (140) people who signed...

2040 THE COMMISSIONER:

(Translation) Asked for a referendum?

MS. KIM CARTIER VILLENEUVE:

2045 (Translation) Yes. Well, it was kind of complaining. And then the municipality decided not to hold a referendum and they wanted to go higher up, and so they transferred the issue further up.

2050 THE CHAIRWOMAN:

(Translation) Well, it's a bit difficult to understand why elected people would refuse to hold a referendum and say "We'll ask someone else to make the decision instead of our citizens." It seems a bit difficult to understand. Are we going to get the answer later on?

2055 MR. PIERRE RICARD:

(Translation) Well, do you want me to answer?

2060 THE CHAIRWOMAN:

(Translation) Well, yes, you may go ahead.

Mr. PIERRE RICARD:

2065 (Translation) The whole matter of referendums is linked to the exclusive power of the municipal council. When there is a change to the zoning that is being proposed, if there is a sufficient number of people signing the register, then there's two (2) options; either you hold a referendum to see if the people agree or not, or the council decides in its wisdom to stop the bylaw, the adoption of the bylaw, and then that's it, it's finished. The bylaw does not apply.

2070 Now, that power of the council, you will understand that when a council sees that it does not have the support of the people because the citizens, through a registry, ask for a referendum, a referendum costs between five to ten thousand dollars (\$5,000.00 to \$10,000.00), depends on the number of people who will be consulted and so on. And so that is why the government gave the absolute power to the municipal council to hold a referendum or not. But it may happen that
2075 the minister demands that there be a referendum, but that is exceptional. In general matters, it is the municipal council that decides if there will be a referendum or not.

2080 But very often there are some matters that go through referendums and then are being stopped by the municipal council.

THE CHAIRWOMAN:

2085 (Translation) Well, then when those representatives go to the RCM, that is the mayor, the mayor represents his population. Now, does he have the obligation to make a representation that agrees with what the citizens said?

MR. PIERRE RICARD:

2090 (Translation) Well, I'll give you an answer that may not please. When the mayor is at the RCM, he is, first of all, a municipal advisor of the RCM. Morally speaking, he should represent his population, his municipal council. But when you look at his obligations, that is not what is being said in the Act. He is there to be there as a member of the management board of the RCM. It may happen that he would vote for something that the RCM wants to do, but that would be
2095 rejected by his municipal council. But even if the municipal council voted and they gave him the mandate to vote against, he might vote for and nobody could say anything, because he is there as an advisor to the RCM.

2100 Now, you're going to tell me he has to be a mayor to be there. Yes, I know, but when you look at how the Act is drafted, he is an advisor of the RCM.

MS. MICHELE BORCHERS:

2105 (Translation) Am I allowed another question?

THE CHAIRWOMAN:

2110 (Translation) Well, when you come back, because there's a quite high number of persons who want to speak, but you will be able to come back if that person comes later on. Mrs. Mary Masotti.

MS. MARY MASOTTI:

2115 Madam Chair and Mr. Commissioner, my name is Mary Masotti and I'm a member of the coalition as well as a recreational property owner. I have a question on garbage from Ontario addressed to the Ministry of the Environment.

In the impact studies there is a letter from Marc Dubreuil of the Ministry of the Environment addressed to Mademoiselle Marie-Claude Thiberge, where he raised two (2)

2120 concerns about garbage from Ontario; first that LDC might need Ontario garbage to be financially viable, and two, that garbage from Ontario would be difficult to control or monitor because of geographic proximity to Quebec. Was his concerns addressed? And if so, would you have the answer?

2125 MR. JEAN MBARAGA:

(Translation) That letter, Madame Chair, does not tell me anything. Could you give me a copy of the letter? I don't remember that. Yes, I remember. That's a question that was asked to the developer and they have answered in the questions and comments. This was the question to allow the developer to find his answers. It says this: "In a previous notice relating to the impact study, we were wondering about the study carried out by the developer to establish the plan of the quality of waste to be eliminated or to be disposed of. The developer made an estimation based on a sixty percent (60%) rate of development. And later he used a rate of fifty percent (50%) to anticipate the quality of residual matter to be disposed of".

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If you will allow me, I will look into the answers that were provided by the developer, but I know that the developer provided an answer.

THE CHAIRWOMAN:

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(Translation) So could I have an answer from the developer?

Mr. JEAN MBARAGA:

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(Translation) Yes. Mr. Poulin.

MR. ANDRE POULIN:

(Translation) So the answer to the question asked by the Ministry of the Environment in document PR5.1, page 2, the answer says that the global rate of recovery of fifty percent (50%) is hypothetical and establishing only the maximum quantity of waste matter that can be received in the site. And I explained why we used fifty percent (50%) instead of sixty percent (60%), because we wanted to overestimate the quantities, which allowed us to deal with a worst case scenario.

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So that approach was considered to be conservative and was aimed at taking account of the most important environmental impact. So that is the answer that had been provided to the branch.

THE CHAIRWOMAN:

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(Translation) Now, that is the answer for the first part of the question, but now, how can the trucks be controlled if the site is economically interesting as compared to other sites in the Ontario? If a truck from Quebec goes to collect waste on the other side, in the other province, how do you control that?

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MR. ANDRE POULIN:

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(Translation) Well, Madame Chair, I come back to clause 4 of the regulation stating that any matter coming from outside of Quebec is not eligible. That being said, in the certificate of authorization that will be given to the developer, they will have to respect all the bylaws and regulations, so they will not be allowed.

2175

Now, how can that be controlled, because saying it is one thing, doing it is another. The first thing in the bylaw at clause 39 is that the developer must each day have a register at the control station of the site. And in that register, operating register, the developer must write down the name -- it is in article 39 of the regulation -- the number of the plate of the truck, the nature of the waste and do a visual control to make sure that the waste matter is eligible. So obviously if it's an Ontario plate, there would be a problem.

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Now, let's go further. There may have been a transfer, or it might be a Quebec truck going to Ontario to collect waste and they will have a Quebec plate, so that would be correct. So what will be established to monitor the situation is that you have to know where the waste is coming from, the name of the producer, in order to control. But how can you control the origin of the waste and the name? Even if you have a plate number from Quebec.

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Now, on top of the visual check, because waste is waste, looks the same, you have to establish, when the certificate of authorization is established, a control policy.

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How do you do that? First everything coming from Gatineau will go through the transfer centre. I don't think there will be trucks that will go directly from Gatineau, Hull or Ottawa, a seven-ton truck that will come to Danford Lake. I think all the trucks will have to go through the transfer centre in Hull. And according to the regulation, then the data will be registered there at the transfer centre. So all the data relating to the waste coming into the centre will be recorded, and it would be the same data at the transfer centre and at the landfill centre.

2195

Another way to control that is to make sure that only trucks with a collecting contract in Quebec, they would have an electronic card, because the control station will be an electronic... will have an electronic system, so there will be a kind of bill of lading number and only the transporters with that card and that number that would be pre-authorized according to a contract

2200 between the transportation company and with us, LDC, that only that could be acceptable.

So orders that would not have that bill of lading number and that electronic card, they would not be allowed in. So in case someone is delinquent and they don't follow that whole procedure, then they could come into the landfill site.

2205

Now, is it one hundred percent (100%) foolproof? Well, that might be a question that should be asked to Gatineau or to the Environment Ministry, but I believe that the procedure is quite good.

2210 THE CHAIRWOMAN:

(Translation) Does that answer your question?

MS. MARY MASOTTI:

2215

(Translation) Yes, thank you.

THE CHAIRWOMAN:

2220 (Translation) Now, Mr. Jean-Marc Boucher. Is Mr. Boucher here? No? Mr. Steve Fowler? Mr. Zenon Chmielowski? I hope I pronounced your name properly. Mr. Patrick Fowler? Gilles Pelletier?

MR. GILLES PELLETIER:

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(Translation) Good afternoon. My name is Gilles Pelletier. Would it be possible to show the map with a two kilometre (2 km) radius? Could you put that on the screen? And could you show on my...

2230 THE CHAIRWOMAN:

(Translation) Are you referring to the map? It's the two kilometre (2 km) radius? Go to the microphone, please.

2235 Mr. GILLES PELLETIER:

(Translation) We were told that within that two kilometre (2 km) radius, there's no housing, nobody is there. I am there. So if they made that mistake, what other mistakes have they made?

2240 THE CHAIRWOMAN:

(Translation) Could you go to the map and show us where you are on the map? Take your microphone.

2245 MR. ANDRE POULIN:

So Mr. Pelletier's map is here and on the map I see the Picanoc, Rivière Picanoc, here. And so on his map, there's the triangle of the Picanoc River. And from what he's saying, his cottage would be here, which is within the two kilometre (2 km) radius.

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THE CHAIRWOMAN:

(Translation) So that is an additional information?

2255 MR. ANDRE POULIN:

(Translation) Well, for us, Madame Chair, we have to know if it's a house, a cottage, is there a well, are there electrical services, power lines. Because a cottage without any service, any well of potable water, no power line, no electricity, is a shelter, it's not a house, it's not a cottage. If there's no service, there's no service.

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THE CHAIRWOMAN:

(Translation) Well, can you tell us, how do you get water?

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Mr. GILLES PELLETIER:

(Translation) Well, we drink water from the river, it's quite good. And I had it tested and it is quite acceptable, there's no problem.

2270

THE CHAIRWOMAN:

(Translation) And you are the owner of the cottage?

2275 MR. GILLES PELLETIER:

(Translation) No, I'm not the owner, I'm leasing.

THE CHAIRWOMAN:

2280

(Translation) From the Ministry of Natural Resources.

MR. GILLES PELLETIER:

2285 (Translation) Yes. And I have two (2) other cottages in the same radius, not my cottages, other people, and there's two (2) other cottages there, and they're not on the map.

THE COMMISSIONER:

2290 (Translation) The Ministry of the Environment has to apply different regulations for which there are criteria in terms of distance for dwelling... well, anyway, how do you define "dwellings"?

MR. JEAN MBARAGA:

2295 (Translation) Yes, Mr. Commissioner, Michel Bourret will answer this one.

MR. MICHEL BOURRET:

2300 (Translation) All I can say is that in terms of the new regulations on incineration and landfill sites, there are standards with regard to dwellings. But no, this is not... we don't... it's only the buffer zone, actually, that we take into account.

As concerns dwellings and other regulations, I don't know what the score is.

2305 MR. GILLES PELLETIER:

(Translation) What are you saying? I didn't get you. The gentleman said I had a shelter. Well, I have a dwelling in the two kilometre (2 km) radius, that's what I'm saying.

2310 MR. MICHEL BOURRET:

2315 (Translation) I'm sorry for using the word "shelter", I'd like to retract. I'd like to know if the gentleman has electricity, drinking water, septic tank. He says that he takes his drinking water from the river. Now, does he have a septic tank approved by the municipality? Does it comply with the regulations? Does he have a power line? Is he registered in terms of municipal property taxes, in other words? Does he have, so to speak, an address with services, septic tank, electricity, and is he a taxpayer for home?

THE CHAIRWOMAN:

2320 (Translation) Well, we're looking at impacts here on people's health. Now, can this person still use the water there as drinking water, whether or not he has electricity? Well, it's a matter of how he uses the territory. This is what we're looking at.

2325 MR. ANDRE POULIN:

(Translation) Yes, I apologize, Madame Chair. In our assessment, in our impact assessment study, we had come to the conclusion that there were no homes within one point two kilometres (1.2 km) from the site. If indeed, if you will allow me, if in fact there is a house here north of the Picanoc River, this is at approximately... well, the edge, the upper limits of the site, we're talking two kilometres (2 km) here, so this might approximately... might be one (1), one point five kilometres (1.5 km). But as Mr. Bourret says, there's on standard now in this regard.

2335 THE CHAIRWOMAN:

(Translation) Okay. We won't be looking at this legally speaking, we're talking here about impact. The discharge of the effluent, once treated, where would the discharges go?

2340 MR. PIERRE RICARD:

(Translation) To the Picanoc.

THE CHAIRWOMAN:

2345 (Translation) Upstream or downstream from this residence?

MR. ANDRE POULIN:

2350 (Translation) Upstream.

THE CHAIRWOMAN:

(Translation) And the dilution now, where would dilution occur? Where would the flow go in terms of his drinking water? Would this mean that he would have to find another source for his drinking water? It does appear to be close.

MR. ANDRE POULIN:

2360 (Translation) Yes, we would have to look into this and see -- and this is spelled out, by the way, in our answer, the comments -- we would have to see whether in terms of his drinking water we would still be in line with the regulation dealing with drinking water.

THE CHAIRWOMAN:

2365 (Translation) Well, that's your answer.

MR. GILLES PELLETIER:

2370 (Translation) Well, I would like to say that I do have an address; 900 Chemin du Cinq Miles, and I do pay my taxes to the township, you know, fire department, everything, I pay it all. And I have solar energy.

THE CHAIRWOMAN:

2375 (Translation) Now then, the spokesperson from the Pontiac RCM has come in, so once again I'd like to ask MS... the lady here to come to the floor and ask her question. The question on the part of MS. Pam Miles. Once again, your name, please?

MS. MICHELE BORCHERS (for PAM MILES):

2380

(Translation) My name is Michel Borchers. So this question is for the Municipality of Pontiac, the RCM. I have a preamble, which I will try and read as quickly as I can.

2385 In the spring of two thousand and six (2006), as I explained a while ago, the municipality Alleyn and Cawood decided to abort a consultation process, a public consultation, to avoid a referendum on a zoning change, because it definitely knew that it was going to lose this one.

2390 At many of their monthly meetings in the winter, spring and summer of two thousand and six (2006), and therefore after the public consultation process was aborted in Alleyn and Cawood, the prefect for Pontiac and many of the mayors assured the taxpayers in Alleyn and Cawood, at times in front of the media, that the Pontiac RCM had no intent to be imposing a project on the population if people didn't want it, and that the people would have an opportunity to vote through a referendum, a binding one, on the zoning change that would have to be implemented for the project to go ahead.

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Now, the prefect went so far as to specify that an opposition on the part of a majority of the residents at Alleyn and Cawood to this zoning change would mean the death of the project. Those were his words, "It dies right there."

2400 The next day, a CBC journalist declared, after interviewing the prefect, Mike McCrunk (End of translation) "is warden for the Regional County of Pontiac, he says if Danford Lake can't get its reasoning through, the landfill won't go there".

2405 (Translation) In September two thousand and six (2006), thirteen (13) of the eighteen (18) members in the Pontiac, including the prefect, took away from all the citizens any possibility of holding a referendum on the zoning change by declaring that this was a project that is of regional interest.

2410 The five (5) mayors who refused to vote for the resolution, stating that this is a regional...
of regional interest, knew that this resolution meant taking away from the Alleyn and Cawood
citizens any opportunity to be consulted through a referendum. Some of these five (5) mayors
were extremely mad and declared that they would stick to their words, they felt bound by the word
that they had given.

2415 One of the journalists, one of the better-known ones, the more respected ones in this
region, Fred Ryan, wrote a few days later in an article in the Ottawa Citizen that he titled
"Democracy Dies With Dump Deal" (End of translation) "The MRC Council of Mayors, after
promising the citizens earlier this summer that they would have a referendum of the landfill,
decided at the end of September to short-circuit the referendum."

2420 (Translation) My question is, for what reason did the Pontiac MRC, after promising on a
number of occasions to the Alleyn and Cawood citizens a referendum over the zoning, why did the
MRC change its mind and break a promise that it had made on a number of occasions?

2425 MR. PIERRE DUCHESNE:

(Translation) Yes, Madame Chair, I apologize for being somewhat late at today's public
hearing.

2430 First of all, once the MRC got a request on the part of the municipality to recognize the site
as being of regional interest for this TLS, there were debates, discussions. We, of course,
looked at the whole procedure for adopting an interim regulation. This regulation is the one that I
mentioned yesterday evening. In other words, it's an interim regulation that dictates the location
for a TLS. If such a site has to be built on our territory, and this is in line with the project.

2435 Now, as to the referendum, once the request had been made by the municipality and
once we'd come to see that the project itself was in the better interest of the Pontiac municipality,
and this is part of our plan for waste management, we had to deal with the issue of the
referendum. It was in the better interests of the Pontiac MRC to adopt such a regulation, because
2440 we did have to find a solution -- a regionally-based solution that is -- within the MRC, at the very
least, to settle this problem of waste disposal.

2445 Now, it is clear in my mind, and this is my humble opinion, that there was... had been no
promise to hold a referendum in terms of the Pontiac RCM. As to the referendum, this is an issue
that crops up within a local municipality that has to change one of its organization regulations or
bylaws when there is something in there that might require a referendum to approve it.

For instance, the new usage and the municipality then had to adopt what we call in French
a concordance regulation, a compliance regulation, to make sure that everything is in

2450 line with the revised land use plan. So by having this in there, by allowing for a TLS to be developed there, this might have to be submitted to referendum.

The municipality was informed of this and decided to change the way it did things by complying to the legislation in terms of adopting this compliance regulation.

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So this is what created the ambiguity. I mean, the issue of the referendum was... the referendum wasn't compulsory anymore, because it was not a matter of changing the urbanization regulations. And once we got this request to take charge of the file at the level of the RCM, we did have to look into this issue, but given the importance of the project, as I said, we decided to have an interim control regulation. And this did not require a referendum. Not even a public consultation is required. And this complies with the act on urbanism and land use.

2460

So as I said, to all intents and purposes, we solved the issue of the referendum. So at this point in time, if there is a request to hold a referendum, it would only be consultative, as MS. Kim Cartier-Villeneuve mentioned yesterday evening, during the session yesterday.

2465

THE CHAIRWOMAN:

(Translation) I see. Mr. Duchesne, you are telling us that having this waste disposal site is required to solve the matter... the problem within the Pontiac RCM, that this of interest, but how is it interesting for the MRC for a site to be getting waste from outside its territory, including a major urban centre? Is it of interest to the MRC here?

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MR. PIERRE DUCHESNE:

(Translation) Yes, it is, because we have a regional problem in terms of disposing of waste. The Outaouais administrative region is recognized Quebec-wide as a region the exports its waste and is not doing what is required. So we have to do the right thing, we have to be accountable, we have to render service to the other RCMs in the Ottawa-Outaouais region, as well as the City of Gatineau, we're giving it an alternative in terms of eliminating residual waste. So this is an alternative, one of possibly others. We're opening this door.

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THE CHAIRWOMAN:

(Translation) Is it monetarily interesting for the citizens of the RCM to open the door to other municipalities?

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MR. PIERRE DUCHESNE:

(Translation) Well, indeed, there were negotiations with the promoter. Unfortunately, I do not know the breadth of this negotiation. Would there be any kind of financial benefit to the

2490

RCM or to the municipality, unfortunately, I could not really answer that.

THE COMMISSIONER:

2495

(Translation) So right now the resolution of the RCM says that this promoter's site is the only site that's been chosen for the RCM's waste. Is that right?

MR. PIERRE DUCHESNE:

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(Translation) Well, the interim regulation states that this is the only site where there could be a TLS on the territory of the Pontiac RCM.

THE COMMISSIONER:

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(Translation) Well, therefore how do proceed to negotiations with the proponent once the authorizations were to be given, say, how could you bargain or negotiate? What's your perception of your leeway to negotiate prices for this disposal? Because you would be bound to deal with this proponent, there would be no competition anymore as you try and see how to eliminate or to dispose of waste on your territory, you wouldn't have all that much leeway anymore.

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MR. PIERRE DUCHESNE:

(Translation) Well, it's true we wouldn't have all that much leeway, reduced leeway. There are negotiations, as I said, with a proponent. What is most important for us is to make sure that... we have to make sure that we have enough money once the site closes down and that the possible benefits would be good for the host municipality, but also for all of the municipalities. We are a poor RCM, we are trying to gather some benefits from this.

2515

THE COMMISSIONER:

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(Translation) So by getting waste from outside your territory, this would bring in more benefits for the host RCM, right?

MR. PIERRE DUCHESNE:

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(Translation) That is quite likely, yes.

THE COMMISSIONER:

2530

(Translation) Thank you.

THE CHAIRWOMAN:

2535 (Translation) Now then, what would the benefits be?

MR. DENIS ROULEAU:

2540 (Translation) Well, the RCM sent a request for royalties per tons during the last two (2) months, so once everything else had been done. So to answer maybe what the Commissioner was asking about, leeway for bargaining was based on the good faith of the proponent.

2545 However, we have answered the request and we've offered this kind of royalty, but this has not come to any kind of conclusion as yet.

THE CHAIRWOMAN:

(Translation) So you've offered royalties to the municipality as well?

2550 MR. DENIS ROULEAU:

(Translation) The municipality also, yes. And this agreement has... there is an agreement on this one, two dollars (\$2.00) a ton. Overall, five hundred thousand dollars (\$500,000.00) a year, based on maximum tonnage.

2555

THE CHAIRWOMAN:

(Translation) Can we see what this means for the RCM?

2560 MR. DENIS ROULEAU:

(Translation) The same thing, two dollars (\$2.00) a ton. Overall, five hundred thousand dollars (\$500,000.00) a year based on maximum tonnage.

2565 THE CHAIRWOMAN:

(Translation) Can we see what this means for the RCM?

MR. PIERRE DUCHESNE:

2570

(Translation) The same thing, two dollars (\$2.00) a ton.

THE COMMISSIONER:

2575 (Translation) What's the municipality's budget in Alleyn and Cawood? What would this

five hundred thousand dollars (\$500,000.00) mean with regard to your present budget?

MS. KIM CARTIER VILLENEUVE:

2580 (Translation) Our budget right now? Our budget right now is approximately five hundred and fifty thousand dollars (\$550,000.00).

THE COMMISSIONER:

2585 (Translation) So you could eliminate taxes.

MS. KIM CARTIER VILLENEUVE:

2590 (Translation) We'd be getting twice the budget.

THE COMMISSIONER:

(Translation) Interesting, isn't it?

2595 MS. KIM CARTIER VILLENEUVE:

(Translation) It is interesting.

THE COMMISSIONER:

2600 (Translation) Thank you. And for the RCM, what would this amount mean, these two dollars (\$2.00) a ton? Two hundred and fifty thousand dollars (\$250,000.00), five hundred thousand dollars (\$500,000.00) for you as well, compared with your overall budget?

2605 MR. PIERRE DUCHESNE:

(Translation) Unfortunately, I don't know the overall amount that we have in our yearly budget. I think it's approximately one and a half million dollars (\$1,500,000.00), but I could be totally wrong.

2610 THE COMMISSIONER:

(Translation) Could you bring in the information at some other session?

MR. PIERRE DUCHESNE:

2615 (Translation) Yes.

THE COMMISSIONER:

2620 (Translation) Thank you.

MS. MICHELE BORCHERS:

2625 (Translation) I have a question which is directly linked to the previous question, I would like to ask it because I think this would allow us to understand, if you will allow me.

THE CHAIRWOMAN:

2630 (Translation) Yes.

MS. MICHELE BORCHERS:

2635 (Translation) Thank you. Now, this is a very important question. The Ministry of the Environment, in its directives, clearly states that it is very important to deal with social acceptability and public acceptance, participatory democracy is very important in its eyes, it's important that citizens should feel that they are party to the decision-making process for these projects.

2640 So if the legislation and regulations allows two (2) degrees... levels of government to avoid the opportunity for the population to take a stand on a project, what are the criteria that the Ministry of the Environment will use to measure the social acceptability for a project?

MR. JEAN MBARAGA:

2645 (Translation) Thank you, Madame Chair. Indeed this is something that is very important, otherwise we would not be here. The reason we're here is to listen to your concerns, and these concerns will be relayed to the minister and this will be seen in the analysis documents and the cabinet will be making a decision based on all this information.

2650 We don't require a referendum. In the directive we suggest to the proponent to consult with the population and to send us the results of these consultations. But that is not compulsory, this is just a suggestion. We suggest that the proponent should do this, because the compulsory consultation stage might come somewhere down the line in the future, but right now it isn't compulsory. Our only consultation is the one that comes thanks to the BAPE.

2655 MS. MICHELE BORCHERS:

(Translation) Well, you're not answering my question. I was asking what the criteria are that you would use to measure the social acceptability of a project.

2660 MR. JEAN MBARAGA:

(Translation) There are no such projects that have been set, it's just a matter of the concerns that have been noted during the public hearings or during the public consultation.

2665 MS. MICHELE BORCHERS:

(Translation) Thank you.

THE CHAIRWOMAN:

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(Translation) Well, we still have a large number of people's names on the register, we have a member of the Vigilance Committee as well, who's... no, he's not here anymore, he's left. We can contact this person over the phone, if need be.

2675

So the people whose names I have now, there are fifteen (15), I'll give your names and I'd like you, please, to tell me if you can come back this evening. Mr. Jan McCambley. Mr. McCambley, can you come back this evening?

MR. JAN McCAMBLEY:

2680

(Translation) No.

THE CHAIRWOMAN:

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(Translation) Well, then please come and pose your question. As you come forward, Mr. Michel Turcotte, is he here? Mr. Turcotte is not here. Mr. Jerry Toomey? Toomey... no. Mr. Ken Molyneaux, can you come back this evening?

MR. KEN MOLYNEAUX:

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I was here until eleven o'clock (11:00) last night and my name wasn't called.

THE CHAIRWOMAN:

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(Translation) So you'll be the next person to speak up. The floor is yours now.

MR. JAN McCAMBLEY:

2700

Thank you, Madame Chair. My name is Jan McCambley. Two-part question; earlier on I heard it mentioned, if I heard correctly, and the promoter had stated this before, that we would

not... they would not accept garbage into Quebec from outside of Quebec. Do you still hold fast to that? Is that a law? He had told us before it was against the law to accept garbage from outside of Quebec. I'm asking the promoter if he still holds to that.

2705 MR. DENIS ROULEAU:

(Translation) Yes, as was said a while ago, Madame Chair, absolutely. The law prohibits this.

2710 MR. JAN McCAMBLEY:

And I suppose the second part of the question then is who is responsible for upholding this law?

2715 MR. DENIS ROULEAU:

(Translation) It's actually the Ministry of the Environment, they exercise control. But earlier on we spoke about the different measures that are used to make sure that this would not occur, thanks to the registers and what is done at the scale and the station.

2720

THE CHAIRWOMAN:

(Translation) Ministry of Sustainable Development?

2725 MR. JEAN MBARAGA:

(Translation) Yes, absolutely, Madame Chair, the same kind of control. It's not the register, and if need be, if we're talking about what is done... what comes from construction sites in Quebec, we'll make sure that the waste comes from there.

2730

THE CHAIRWOMAN:

(Translation) Did you ever have to act in this regard to make sure that people stuck to the law?

2735

MR. JEAN MBARAGA:

(Translation) Not to my knowledge, we never had to in this region.

2740 THE CHAIRWOMAN:

(Translation) Go on.

MR. JAN McCAMBLEY:

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May I address this question to you then as well? April twenty-fourth (24th), o seven ('07), which was only a few weeks ago, I was crossing the border at Alexandria Bay. I am a trucker. Between fourteen hundred (14h00) and fifteen hundred hours (15h00), which is in my log book, I was at the customs office when a tanker pulled in. I got to see the paperwork, which was cleared by customs. The truck was on its way to Montreal with a load of acidified arsenic which came from Tennessee. The truck driver tells me he's there every week, one day they showed up with seven (7) loads. I also spoke to another trucker of New Hampshire, who hauls three (3) loads of sludge into Quebec every week, trailer loads. Are you aware of this?

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MR. JEAN MBARAGA:

(Translation) Those are specific cases, Madame Chair, I'm not really informed of these.

THE CHAIRWOMAN:

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(Translation) Can you check? I mean, might this be sent to some kind of specialized landfill site for hazardous waste, say?

MR. ANDRE POULIN:

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(Translation) If I may be allowed, Madame Chair, you know that the Ste-Therese site, Ste-Therese-de-Blainville, known as Stalex, does import a large amount of hazardous waste, sixty to seventy percent (60 to 70%) of its business comes from hazardous waste from the U.S. And so if it's arsenic or acidic sludge, we're talking about hazardous waste, so I can't see any other site than the one at Ste-Therese-de-Blainville. He said Montreal, it was probably Laval, actually.

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THE CHAIRWOMAN:

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(Translation) So the Americans still have not developed the right kind of technology for this kind of waste?

MR. ANDRE POULIN:

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(Translation) The Americans, yes, they have developed technology for this, but Stalex has a technology that is less costly than those used in the U.S., in the southern part of the U.S. But if you're talking about New Hampshire... well, Tennessee is pretty far away, but that's kind of incredible.

2785 THE CHAIRWOMAN:

(Translation) There must be some economic reason for this.

2790 MR. DENIS ROULEAU:

(Translation) Nevertheless, we are talking about other types of waste, hazardous waste, we're not talking about non-hazardous waste. And there's legislation that prohibits the import of this kind of waste.

2795 THE CHAIRWOMAN:

(Translation) Out of curiosity, it's a long while now since... I mean, how come we have an Act that deals... that says we cannot be getting regular waste from outside the province, but we can import hazardous waste?

2800

MR. JEAN MBARAGA:

(Translation) Michel will answer this one, Madame Chair.

2805 THE CHAIRWOMAN:

(Translation) Just out of curiosity, as an aside.

2810 MR. JEAN MBARAGA:

(Translation) I'm being told that he doesn't have an answer, but we can seek out the answer and relay this to you this evening or tomorrow or some other day.

2815 THE CHAIRWOMAN:

(Translation) I'm just trying to find out. I'm just interested and curious.

MR. JEAN MBARAGA:

2820 (Translation) Yes, Madame Chair, we will find the answer to this.

THE CHAIRWOMAN:

(Translation) Thank you.

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Mr. JAN McCAMBLEY:

Thank you, because I was curious, too.

THE CHAIRWOMAN:

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(Translation) Mr. Ken Molyneaux?

MR. KEN MOLYNEAUX:

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I am Ken Molyneaux. I was born and raised in Danford Lake. I have a cottage in Kazabazua, a residence in Kaz and a business in Kazabazua.

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First if the Mayor of Alleyn and Cawood can't be here, I think the pro-Mayor should have been for something this important. We know this land, the Picanoc river because of leachates being pumped into it. This will also pollute the Gatineau river and many lakes and streams.

2845

This landfill will create more traffic which will be the cause of more road accidents and cause more pain and suffering for victims and their families and friends. I was in an accident myself, and so were my two (2) sons, on Highway 105, and my accident was caused by poor road conditions in the winter.

2850

You see what shape Highway 105 and 301 are in now, can you imagine how bad it's going to be after you put more heavy trucks on it? I'm sure you travelled the 105 coming up, you can see all the potholes and everything.

2855

We know that this landfill will attract seagulls and rats, rats do follow waterways and carry diseases. I'm a member amongst twenty (20) members of a club on the Picanoc River, close to Mr. Rouleau's site, I believe it's within two kilometres (2 km), it's not far off, probably one (1) or one point five (1.5). We know people throw small batteries, aerosol cans, hairspray, computer ink cartridges, et cetera, into the garbage. If there is two hundred and fifty thousand (250,000) tons of compacted garbage per year, there has to be toxic hazardous waste in there, too.

2860

I don't think we should be at this point right now, BAPE hearings I'm talking about. I feel like you're trying to push this on everyone too fast. Danford Lake residents asked for a referendum on this landfill many times, I was at every council meeting, Kim Villeneuve knows. They were turned down. Then they asked if they could pay for a referendum, and again they were turned down. Mr. Rouleau said in his presentation that there are no residences within two kilometres (2 km) of this site, yet the Tanner Farm and the Graveline Farm, the Tanner Farm is beside the proposed site, and the Graveline Farm is right across the highway from the proposed site. There are two (2) other farms close by called the Beaugard farms, used on weekends.

2865

Now a question if you knowingly inflict pain and suffering on others and affect their quality of life, can the government that passes this and the owner be held liable for damages created by

this site?

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THE CHAIRWOMAN:

(Translation) We go to the Ministry of Sustainable Environment and Parks. When a developer receives a certificate of authorization, whether it be because there has been an order and a certificate, according to the plan he has submitted, if he operates according to what he has stated and that despite all that, he causes some damages, health damages or damages related to quality of life, various problems of coming from the site, could he be held responsible even though he has a certificate of authorization?

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MR. JEAN MBARAGA:

(Translation) If we're talking about TLSs, with the knowledge we have know, it is recognized that if he respects the standards of authorization of the government, which are among the most severe in the world, there may be some nuisance, but there is no health problem such as cancer and so on.

2885

I come back to the second part of your question, because you've read in the media the case of Ciment St-Laurent in Quebec. Even if all the provisions of the authorization were respected, he was charged, he was held liable because there were some various damages. That case is before the courts and has not been decided yet.

2890

But in the follow-up that is done... because we've been talking about the follow-up for sites that are legal and authorized. If we were to learn that despite all the standards established by the department, that a danger was created for the population, obviously the ministry would be involved and would ask the developer and force the developer to do something and to implement even stronger criteria.

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THE CHAIRWOMAN:

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(Translation) Then there would have to be an order.

MR. JEAN MBARAGA:

(Translation) Well, not necessarily an order from the government, Madame Chair, perhaps an obligation under clause 20 of the Act, stating that there should not be any production of contamination for the population, which could lead to problems for the population. So it could be clause 20 or 22.

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THE CHAIRWOMAN:

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(Translation) So there is no right to pollute.

MR. JEAN MBARAGA:

2915 (Translation) No, absolutely not. He may respect the Act and the standards, but if the government realized that the standards established do not provide enough protection to the population, then the government could raise the standards.

2920 And by the way, Madame Chair, the new regulation has been passed in January includes stricter standards than previously about solid waste. And so the standards are stronger, are stricter.

THE CHAIRWOMAN:

2925 (Translation) So the regulation is changed and the government states in the regulation when the new standards will apply?

MR. JEAN MBARAGA:

2930 (Translation) Yes. This is what is being done now.

THE CHAIRWOMAN:

2935 (Translation) So it's based on standards?

MR. JEAN MBARAGA:

(Translation) Yes.

2940 THE CHAIRWOMAN:

(Translation) But if he meets the standards, then can he be held liable? Well, you said the Ciment St-Laurent is before the courts, but there has been no decision.

2945 MR. JEAN MBARAGA:

(Translation) And to my knowledge, it's the first time that citizens hold liable a private sector, a private company, whose plan respected the standards established by the government.

2950 THE COMMISSIONER:

(Translation) Now, did the citizens win? I think they won, they won and they went... it was appealed, they won in appeal and Ciment St-Laurent went to further appeal, but they met

2955 with the standards. But the citizens said they had been nuisanced and we can claim. And so it was a class action there. It lasted for several years and it will be a precedent.

MR. JEAN MBARAGA:

2960 (Translation) Yes, that's what I believe.

MR. KEN MOLYNEAUX:

2965 About the two kilometres (2 km), Mr. Rouleau was saying about residences within two kilometres (2 km). Could you show them the map and where the Tanner Farm is and the Graveline Farm? I don't know why you'd say there's no residences within two kilometres (2 km).

MR. DENIS ROULEAU:

2970 (Translation) About the cottages that were identified earlier, I admit now, but the residences or the dwellings mentioned by the gentleman, the two kilometres start from the landfill site and not from the property. Now, the gentleman is right that the Tanner Farm and Graveline Farm are at one point two kilometres (1.2 km), one point two and one point four kilometres (1.2 and 1.4 km), from the property, but two kilometres from the landfill site. And same thing with the Beaugard Farm. And there will be discussions with those three (3) owners, long discussions to come to an agreement.

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MR. KEN MOLYNEAUX:

2980 I'm sure the Tanner Farm is point five kilometres (.5 km) from there. I was born and raised in that area, I know the farm, and I know the guy that's living there and I know the people living on the Graveline Farm. And I'm sorry, but I'm sure it's less than one point two kilometres (1.2 km). Can we put the map up and show them the houses or...

THE CHAIRWOMAN:

2985

(Translation) Yes, can you show the map, please?

MR. DENIS ROULEAU:

2990 (Translation) You can see

here this is the Tanner Farm here, the farm of Mr. Graveline, and the Beaugard Farm, I think it's around here. Yes, it's this one.

MR. KEN MOLYNEAUX:

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The Five Mile Beaver Club that I'm a member of on the Picanoc River, down river from

where you are.

THE CHAIRWOMAN:

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(Translation) All right. Thank you. Do you have any other questions?

MR. KEN MOLYNEAUX:

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Yes, the other thing was, why the municipality... there was over fifty (50) people at the municipality when we asked for a referendum the last time and offered to pay for it, because the pro-mayor said last night that it was too expensive. I don't know if you remember that, but we had offered to pay for it. The coalition asked and people said they'd have a benefit and help pay for a referendum, but were still turned down. I'm sure Ms. Villeneuve remembers that.

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THE CHAIRWOMAN:

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(Translation) This evening we'll talk to the mayor by phone and we'll ask him if he can answer that question, and all the questions relating to the referendum. And to the need to take into account the interests of the taxpayers, but there's a whole matter of the changes to the management plan of the RCM of importing waste. So all those matters will be dealt with later on this evening with the mayor and we'll ask him what he said to the RCM, all right?

MR. KEN MOLYNEAUX:

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There's so many questions that people have to ask, and you notice yourself half of the people aren't here from last night, you're calling names out and people can't be here, they can't take days off work every day. And there's a lot of important questions that do have to be answered. I, for one, can't be following you around for every meeting.

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THE CHAIRWOMAN:

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(Translation) Yes, I understand, but what we said during the preparatory meetings is that if all of the questions cannot be asked, we would ask you to send them in writing and we will deal with them later on or perhaps on Friday morning. We'll continue working because we want to find answers to all those questions.

MR. KEN MOLYNEAUX:

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Are all these questions put on record? All the questions that are asked here, are they put on record?

THE CHAIRWOMAN:

3040 (Translation) Yes. If they are asked during the hearings, they will be recorded. If not,
they will be sent in writing and the answers will be left in the consultation centres and on the
internet site of the Commission. Everything will be public, including the questions. However, the
questions that we receive have to be dealt with. I mean that we cannot... I mean, if a question is
3045 an attack against an individual, then we cannot accept that. You know there are some limits to
what we can accept. So the question should not be an attack or a criticism of an individual, that's
the limit of our work. All right?

MR. KEN MOLYNEAUX:

3050 I guess.

THE CHAIRWOMAN:

3055 (Translation) So a final question, Mrs. Michele Borchers. Will you be here tonight? So
we'll call you tonight, please. Mr. George MacCormack, are you here?
No? Mr. Ray Thomas? Mr. Renato Livinal. Tonight? All right, thank you. Mr. John Edwards?
You will ask your question tonight, okay. Mr. Shannon Martin, are you going to be here tonight?
Yes? Mrs. Tracy Molyneaux, will you be here tonight? Thank you. Mr. Claude Schnupp, will you
be here tonight? No? So please come forward.

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MR. CLAUDE SCHNUPP:

3065 Good evening. My name is Claude Schnupp, I reside in Kazabazua, approximately
fourteen miles (14 mi) from the proposed site. And my question pertains to... I would like to know...
how can I put this? The monitoring of the wells and the leachate and the gases and whatnot, who
would be responsible for checking up on that, and what would their titles be, if there were? And
it's a three-part question. As well, would that information be made public? And whom would they
be hired by? Would it be federal or provincial government or would it be LDC?

3070 MR. DENIS ROULEAU:

3075 (Translation) The follow-up yearly includes the production of a report, an annual report,
that has to be submitted to the Ministry of the Environment Sustainable Development and Parks.
Generally speaking, the follow-up is done by a consulting firm mandated by the developer. And
when everything is ready, it is submitted to the Ministry of the Environment to check on the results
and...

THE CHAIRWOMAN:

3080 (Translation) Will your follow-up reports be public? Are you going to put your results on the internet site?

MR. DENIS ROULEAU:

3085 (Translation) The Vigilance Committee is entitled to have a look at the annual report. So in that sense, yes. The Vigilance Committee has representatives of the population of the municipality of the RCM, so there are several different people who are part of the Vigilance Committee.

3090 THE CHAIRWOMAN:

(Translation) Do you make the commitment to publish the results?

MR. DENIS ROULEAU:

3095 (Translation) Yes.

THE CHAIRWOMAN:

3100 (Translation) As soon as they come available or when the annual report...

MR. DENIS ROULEAU:

3105 (Translation) Well, when we make a declaration or statement to the ministry, when we send that information to the ministry.

THE CHAIRWOMAN:

3110 (Translation) Well, if there was a problem, it has to be reported to the ministry. Will you make that public also?

MR. DENIS ROULEAU:

3115 (Translation) Yes, absolutely.

THE CHAIRWOMAN:

3120 (Translation) You intend to have a Web site relating to the landfill site and to make information public?

MR. DENIS ROULEAU:

(Translation) Yes, we made that commitment.

THE CHAIRWOMAN:

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(Translation) Ministry?

MR. JEAN MBARAGA:

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(Translation) Yes, Madame Chair, this is exactly right. There are some requirements for following up in the order. There must be some follow-up, there must be reports produced to the ministry, to the regional section. And there will be a Vigilance Committee that will always have access to those reports. And I must add that if there is a doubt, any doubt at any time, a representative of the ministry can come in and check up on things.

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THE COMMISSIONER:

(Translation) But even if they have no specific doubt or suspicion, can the ministry or does the ministry proceed with some checking up?

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MR. JEAN MBARAGA:

(Translation) Yes, there is a procedure in this kind of situation, and representatives of the municipality can come up unannounced and check up and see what's going on.

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THE CHAIRWOMAN:

(Translation) And how frequently do they do that for a landfill site, TLS?

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MR. JEAN MBARAGA:

(Translation) You're talking about the frequency establishing the order?

THE CHAIRWOMAN:

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(Translation) No, the frequency of verifications carried out or audits carried out by the ministry.

MR. JEAN MBARAGA:

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(Translation) Where there's a whole procedure and it's the section... regional branch that is responsible for that.

MR. CLAUDE SCHNUPP:

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So the Vigilant Committee, are they engineers or just average people that are doing this testing?

THE CHAIRWOMAN:

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(Translation) The Committee, Vigilance Committee, clause 72, there is an explanation there about who are the members of the Vigilance Committee. Can you explain?

MR. JEAN MBARAGA:

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(Translation) Yes, the make-up of the committee is established at clause 72 of the regulation, of the order.

THE CHAIRWOMAN:

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(Translation) It says that the committee... must be members of the committee, a group of local or regional organization working in environmental conservation or protection, a regional local group affected by the landfill site. Now, who makes the decisions about those groups? And when they are selected, do you check and you verify that those people correspond to the requirements of clause 72?

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MR. JEAN MBARAGA:

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(Translation) Well, the developer is obliged to invite those people, so representatives of those organizations. Now, a bit later on it says that the minister can appoint any other person on the Vigilance Committee who has expressed the desire to be a member or who represents a group or for whom it would make sense that that person be a member. So it's a power that belongs to the minister.

3195

And I can add that at clause 72... clause 72 relates to the make-up of the committee, the persons who are invited are volunteers, so there may be one (1) or two (2) organizations which cannot find people to find someone, that does not prevent the Vigilance Committee from operating. And I think at clause 57 of the Act that is where the power resides, the power of the committee.

3200

THE CHAIRWOMAN:

(Translation) You will not be here tonight? Do you have any other questions?

3205 MR. CLAUDE SCHNUPP:

Well, I'm just trying to... from what I understand, the Vigilance Committee is sort of hired or... hired by LDC, is that it?

3210 THE CHAIRWOMAN:

(Translation) Is that correct? Who decides about the make-up of the Vigilance Committee?

3215 MR. DENIS ROULEAU:

(Translation) Well, it is imposed by an order.

3220 THE CHAIRWOMAN:

(Translation) Well, there is already a committee that has been set up.

MR. DENIS ROULEAU:

3225 (Translation) So it is a kind of embryo of a committee for the community. There will be a representative of the RCM, of the local municipality.

THE CHAIRWOMAN:

3230 (Translation) Of the developer and of these organizations that were referred to.

MR. DENIS ROULEAU:

3235 (Translation) Well, if you are authorized, you would be the developer, and so the developer invites in writing groups from the local municipality, the regional municipality and so on, people living in the neighbouring... close to the land site. So you don't invite anybody, you just invite people according to what is said in the clause. I don't think it's that simple. We have to invite, but as to whether we can select people, no, I don't think we can, and we would not do that. It's not up to us to identify who would be on the committee. I think we should ask the local
3240 organizations to select their own representation on the committee.

THE COMMISSIONER:

3245 (Translation) Now at the Ministry of the Environment, is there a process to see that the committee is really representative of the region? Or is it left to the good offices of the developer? Because I don't... I don't know, the developer might want to invite people, but...

MR. JEAN MBARAGA:

3250 (Translation) Well, Mr. Commissioner, there is a major distinction to be made here. He
invites... he asked the organizations to appoint someone on the committee. It's not the developer
who will appoint the people, who will select the people. No, he asked those organizations to find
someone to represent them. For example, he would ask the RMC to appoint someone on the
committee, and so it would be the RCM that will decide who will represent them. It's not the
3255 developer that will tell the RCM "I want this the person of that person".

THE COMMISSIONER:

3260 (Translation) Now, what about the citizens, local citizens, how are they invited? Who
invites them?

MR. JEAN MBARAGA:

3265 (Translation) Well, the citizens have to organize to select someone among themselves,
because the person selected should not be influenced by the developer at all, never. So it will be
the citizens themselves who will make that decision, who will select their representative.

THE CHAIRWOMAN:

3270 (Translation) But it says he invites in writing the following groups and organizations to
select one (1) representative, to appoint one (1) representative. We understand that the minister
can be involved, but in those groups, the citizens living close to the land site, to the landfill site,
will it be someone from the three (3) farms that were talked about, or will it be persons who live
along the river and use the river, for instance? Or people that you have had discussions with or
3275 people who have said they are concerned about this, or both?

MR. DENIS ROULEAU:

3280 (Translation) Well, if the neighbours select as their representative someone who will... it's
their choice. If they select someone else, so be it, I have to live with that. As long as that person
meets the criteria of residency of living in the neighbourhood and so on.

THE CHAIRWOMAN:

3285 (Translation) But living in the neighbourhood, does that mean living in the neighbourhood
permanently, on a permanent basis or a temporary basis? It refers to people living in the
neighbourhood or close to the landfill site. Could it be people living there permanently or people
who have a cottage and live there only on a seasonal basis?

3290 MR. JEAN MBARAGA:

(Translation) Well, there's no distinction about that. It may be people on a seasonal basis. I mean, the developer invites all the people, and those people make their own selection. They select whoever they want. They select a permanent resident, a seasonal resident, it's up to them, as long as it meets the criteria.

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THE CHAIRWOMAN:

(Translation) Well, I think it's not very specific. For example, citizens living in the neighbourhood... well, the neighbourhood can be very wide. What kind of territory does it cover?

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MR. JEAN MBARAGA:

(Translation) Well, it has not been specified. Clause 72 has been drafted that way. But you know... well, you've said something that happened in other situations, it happened that it be the minister himself who appointed, who invited people and appointed people on the Vigilance Committee, but that is on an exceptional basis, very rare.

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MR. KEN MOLYNEAUX:

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That doesn't really answer my question. I think somebody needs to be qualified to do this. You almost need a chemist or a biologist or something to assess what kind of pollution there is, or if there is pollution. I don't think local citizens like myself... I wouldn't be qualified, even if I was invited, and I don't live in the municipality. But I don't think my question was really answered.

3315

THE CHAIRWOMAN:

(Translation) Does the Ministry of Sustainable Development... is it in a position to support the Vigilance Committee to provide advice, for instance, if this committee were to request such advice?

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MR. JEAN MBARAGA:

(Translation) Yes, absolutely, Madame Chair. This is part of the roles that need to be played by the representative of the Ministry of the Environment, when asked by the members of the committee, of course.

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THE CHAIRWOMAN:

(Translation) So experts can be sent in, I'm being told that this is the case, people can

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support the committee?

MR. KEN MOLYNEAUX:

3335 You need experts, especially on such a sensitive issue as pollution. And this is what it's all about, the dump, it's about pollution. Merci beaucoup.

THE CHAIRWOMAN:

3340 (Translation) All emissions or discharges, this is different from pollution, pollution is what it goes... when things go beyond certain criteria, but that's just a technicality. All right, thank you. You will have an opportunity to ask further questions in writing if you so desire. If you cannot come this evening, for instance. We'll be getting these questions in until Tuesday over the internet, for instance. Thank you. We'll now have to stop for now. We still have two (2) people's names on the register. However, we do need a bit of a break. Ms. Linda Cronk is on the list. Is she here? Will you be in a position to come back this evening? And Ms. Cindy Duncan MacMillan. Thank you. We'll see you later, at seven p.m. (7:00). Thank you.

3345

3350 I, Annagret Rinaldi, the undersigned, Official Court Reporter, do hereby certify, under my oath of office, that the foregoing is a true transcription of the above-named speakers at the public hearings conducted by the BAPE.

3355 AND I HAVE SIGNED:

ANNAGRET RINALDI,
Official Court Reporter.

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