

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

PRESENT: Ms. CLAUDETTE JOURNAULT, Chair
M. 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 4

Hearing held May 17, 2007, 14 h
Cathédrale Saint-Jean-Marie-Vianney
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Gatineau

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MS. CLAUDETTE JOURNAULT,
THE CHAIRWOMAN:

5 (Translation) Good afternoon. Welcome to our fourth meeting relating to the technical landfill site at Danford Lake in the municipality of Allevyn-and-Cawood. I am the Chairperson of the BAPE, B-A-P-E, and we have the Commissioner, Donald Labrie, with us.

10 First of all, we're going to ask the developer to introduce himself and the members of his team.

MR. DENIS ROULEAU:

15 (Translation) Thank you, Mme. Chair; my name is Denis Rouleau. I'm the C.E.O. of LDC Management and Environmental Services. I'm with André Poulin, and he is a technical advisor and responsible of projects for Teknika HBA, and they have their own team: Yves Gagnon, engineer, Patrice Bigras, and Patrick Gagnon.

20 THE CHAIRWOMAN:

(Translation) Thank you; the commission has also invited resource persons to answer your questions. So, we have invited representatives of the Sustainable Development Ministry. Please introduce your people.

25 MR. JEAN MBARAGA:

30 (Translation) Thank you, Mme. Chair; my name Jean Mbaraga. I'm the spokesperson of the Department of the Environment Ministry, and I am a coordinator of those projects. And I have with me Michel Bourret of the Policy Branch, and we have other persons of the Ministry in the room who can be called upon to answer specific questions, if need be.

THE CHAIRWOMAN:

35 (Translation) Thank you; now, we have also representatives of the Municipal Affairs Ministry. Good afternoon, Mr. Pierre Ricard would be able to answer your questions. He's here this afternoon. So, if there are questions relating to your Ministry, we'll call on you.

40 I can tell you that lots of questions have been asked. Lots of answers have been provided. Those answers will be available on the web site of the BAPE as soon as the transcriptions are available, and also in the consultation centres probably by the end of next week.

We also have representatives of the Natural Resources Ministry, Mr. Laurent Massicotte, right? Oh, we're still waiting for him, and Mr. Denis Bouillon, who is here. Is he here? He's going to come; then, the Health and Social Services Ministry.

45

MR. LOUIS-MARIE POISSANT:

(Translation) Yes, Louis-Marie Poissant.

50

THE CHAIRWOMAN:

(Translation) Thank you; is there someone for the municipality of Allevyn-and-Cawood? Thank you, Ms. Scharf, please, I'm sorry. The regional municipality of Vallée de la Gatineau, Catherine Lussier; the regional municipality of Pontiac.

55

MR. PIERRE DUCHESNE:

(Translation) Pierre Duchesne.

60

THE CHAIRWOMAN:

(Translation) Thank you; the regional municipality of Collines-de-l'Outaouais, no representative here; Gatineau?

65

MR. JACQUES NADEAU:

(Translation) Jacques Nadeau from Gatineau.

70

THE CHAIRWOMAN:

(Translation) The Ministry of Transport, is the representative of the Ministry of Transport here? We should have Mr. Jacques Henry this afternoon, who would be able to answer questions relating to transportation issues. We also have a representative of the Public Security Ministry, thank you, Mrs. Meilleur.

75

Alright, I think I've mentioned everybody, all the officials. If there are other officials in the room, please introduce yourselves, and I want to introduce the team working with the commission.

80

Our analysts are Monique Lajoie and Jean Roberge. The coordinator is Ms. Renée Poliquin. Then, Mr. Jean-Sébastien Fillion is the communications advisor, and Ms. Louise Marois is the secretariat officer. We also have the support of the Government Services

85 Department, Mr. Jean Métivier, who is responsible for technical equipment, Mr. Martin Lajoie responsible for the sound system with the assistance of Mr. Georges Leclerc.

Ms. Lise Maisonneuve and Ms. Annagret Rinaldi are typists, and we also have the support of interpreters. And this afternoon, we have Mrs. Yasmine Norris and Jean-Michel Gazet, who are the translators at those meetings. And if you need translation services, you have - you can get equipment at the back of the room, and you can listen to the proceedings in French and English.

90 This afternoon, we will end the meeting at around four forty-five (4:45) to have a break, and we'll start again at seven (7:00) p.m.

95 Now, without further ado, we'll ask the developer if they have documents to table or questions to answer. Then, we'll go to the resource persons.

MR. ANDRE POULIN:

100 (Translation) Thank you; good afternoon, Mme. Chair, as agreed yesterday, we will table before the commission the following documents. That is the Judgement of the Superior Court relating to the values of property in Sherbrooke.

105 Also, we table the article of the Journal of Real Estate Research. It's a report on the impact of a landfill site on the value of property. We also were going to table an article relating to vibrations from the research centre.

110 And the day before yesterday, we had introduced some photographs of the water treatment system, but we didn't have any possibility to provide you with a colour photocopy. So, we'll table a visual description of those, of this water treatment system. Those are the documents I will table.

THE CHAIRWOMAN:

115 (Translation) Now, about the resource persons, do you have anything?

MR. JEAN MBARAGA:

120 (Translation) Yes, Mme. Chair, we have the information that was requested relating to the trucks that would go to the site. The Ministry is preparing the compilation. As soon as it's ready, we will provide that to the commission.

You also had asked a question for personal information. You asked why hazardous

125 materials - the importation of hazardous materials is authorized. We got the information. And so, my colleague is going to give you the information pretty soon.

130 Then, there was another question relating to the number of times that we go and visit and check on the landfill sites. It all depends on the risk. For the sites where the risk is high, it can be up to ten (10) times a year, so, once a month, but for the sites where everything is correct, and there's no problem, it's twice a year.

135 THE CHAIRWOMAN:

(Translation) I would have an additional question about this.

140 MR. JEAN MBARAGA:

(Translation) Yes, but I'll conclude. We will give you also the control report on the landfill sites. So, when our regional branch goes to a site, it gives you the information about what they check. There is a table giving all that information. It's not ready yet, but we will provide it.

145 THE CHAIRWOMAN:

(Translation) And when you go and visit a site, where you go and check on a site, is that information public? Is it made public? What is your approach about providing information to citizens about what you do, about the information you collect when you do a visit?

150 MR. JEAN MBARAGA:

(Translation) Yes, Mme. Chair, yesterday, we answered that there's always the vigilance committee that has to be provided with the information. It ensures the link between the developer and the departments. So, any follow-up is given to the vigilance committee, as soon as they ask for the information. And then, they can make it public and provide it to the citizens.

155 THE CHAIRWOMAN:

(Translation) Is it the same thing with the results on the samples that the Ministry collects? Do you provide the information on that to the vigilance committee?

160 MR. JEAN MBARAGA:

(Translation) Well, if the vigilance committee requests that, it will get it.

165 THE CHAIRWOMAN:

(Translation) It's not provided automatically.

MR. JEAN MBARAGA:

(Translation) It is provided upon request.

170

THE CHAIRWOMAN:

(Translation) And you're telling us that a site manager - well, some sites are higher risk sites. And in those cases, the controls, the visits are more frequent.

175

MR. JEAN MBARAGA:

(Translation) Yes, there will be several visits from people of the Ministry, and it can go up to twelve (12) times a year, so, once a month.

180

MR. DONALD LABRIE,
THE COMMISSIONER:

(Translation) One other question, you were talking of about twelve (12) yearly visits for some sites. Do you collect any samples when you do a visit? Do you check on the gas, on...

185

MR. JEAN MBARAGA:

(Translation) Yes, absolutely, we collect samples of water and biogas.

190

THE COMMISSIONER:

(Translation) At each visit or only at some visits?

195

MR. JEAN MBARAGA:

(Translation) Well, it depends. On the table I will provide you with, you will see at which intervals they collect samples, but there's no limit. They don't have to collect samples each time, but they can do so.

200

THE CHAIRWOMAN:

(Translation) The Sustainable Development policy says that it's the user payer or polluter payer. So, it's the company that creates a risk for society, and that society has to control what the company does. And the company should contribute financially to cover the risk. Now, in the case of landfill sites, is there some kind of royalty or money that is paid to the government to fund the control visits that have to be done for those sites?

205

MR. JEAN MBARAGA:

210

(Translation) I have to consult my colleague, please. Yes, you're right, Mme. Chair. There was a policy expressed by an Environment Minister, and there were supposed to be regulations in order to be able to demand from the developer that they pay for the follow-up work and the control work, but the act has not passed yet, but the desire to do that has been expressed by politicians, by the Minister.

215

THE CHAIRWOMAN:

(Translation) I'll give the floor to your colleague.

220

MR. MICHEL BOURRET:

(Translation) There was a question relating to the importation of waste matter. Why is it forbidden to import non-hazardous waste whereas the importation of hazardous waste is authorized? The explanation is related to the volume of waste.

225

For hazardous waste, the quantities are rather low, and the disposal means do not necessarily justify to have in a small community like in Quebec to have all the equipment required to treat that kind of waste, to dispose of it, which means that, in Quebec, we do not only import hazardous waste, we also export hazardous waste. So, we don't see why we should forbid importation, if we want to export.

230

But the volumes for non-hazardous waste, they are high volumes, and then it justifies that there be disposal equipment, specific disposal equipment for our own waste without having to deal with the waste from other regions.

235

THE CHAIRWOMAN:

(Translation) Thank you; there were questions also put to the Natural Resources Ministry. Do you have answers for us? Please come to a microphone.

240

MR. PATRICK AUTOTTE:

(Translation) Good afternoon.

245

THE CHAIRWOMAN:

(Translation) Could you introduce yourself?

250 MR. PATRICK AUTOTTE:

(Translation) Patrick Autotte of the Natural Resources Ministry, first of all, I want to table a list of the types of uses or projects that are allowed on public lands. There were questions about that, so, what type of projects can be carried out on Crown lands. I have a document explaining
255 the nature of the uses that can be considered and accepted.

THE CHAIRWOMAN:

(Translation) Alright.
260

MR. PATRICK AUTOTTE:

(Translation) And about questions relating to aboriginal people, you asked if there were any consultations. I said, no, not specifically for aboriginal groups for this site, but we've had
265 discussions this morning with people dealing with those issues in our Ministry.

And according to the government policy, it's not only the Natural Resources Ministry that has to do consultations. There's a policy from 2005 or 2006, and the intent of the Ministry working in cooperation with the Sustainable Development Ministry, the intent was to hold consultations, formal official consultations, of the aboriginal communities which would be the community of
270 Kitigan Zibi, which might be concerned by this site.

So, the objective would be to at least get an opinion from that group before issuing an order coming from the activities of the commission. So, we'd like to do that as soon as possible,
275 of course.

THE CHAIRWOMAN:

(Translation) Yes, for people to be able to have this information, could you introduce
280 briefly the document that you are going to table?

MR. PATRICK AUTOTTE:

(Translation) Well, the document relating to the land uses? It's a document of five (5) or
285 six (6) pages describing the land uses that are admissible or eligible. There are some commercial uses. There are community activities, industrial activities, public activities. There's quite a long list. There's about two hundred (200) uses that can be accepted on Crown lands.

THE CHAIRWOMAN:

(Translation) And do you have in this document information about the rules?
290

MR. PATRICK AUTOTTE:

295 (Translation) No.

THE CHAIRWOMAN:

300 (Translation) Is there a policy from your department or it's on a case-by-case basis?

MR. PATRICK AUTOTTE:

305 (Translation) It's mostly on a case-by-case basis. There's not any specific procedure in the legislation. We're drafting a guide for developers, but it's not final. It will establish some major limits for the big projects, but there's no other document describing step-by-step what has to be done.

THE CHAIRWOMAN:

310 (Translation) Alright, thank you very much; is there any other information that anybody wants to provide us with?

MR. JACQUES NADEAU:

315 (Translation) Well, just an additional information, yesterday we talked about transportation issues, and the environmental impact study of the developer said there would be no transportation after six (6:00) p.m., but it may happen in Gatineau that some transportation be required after six (6:00) p.m.

320 Generally speaking, the last truck would leave at four thirty (4:30) p.m., but sometimes if the volume of waste is very big, that some trucks might leave a bit later on. Especially now with the new policy, no waste can be left at the transfer centre. And so, that's why there might be some trucks leaving later in the day.

325 THE CHAIRWOMAN:

(Translation) Could you explain when it - how frequently would it be?

MR. JACQUES NADEAU:

330 (Translation) Well, during the summer, of course, it's more frequent, but, in the spring also, when people are doing some cleaning up in their houses, there's more waste. And so, then, at those periods, there might be a need to have trucks leaving later than six (6:00) p.m. or arriving at the landfill site later than six (6:00) p.m.

335

MR. DENIS ROULEAU:

340 (Translation) Well, as discussed earlier, on an exceptional basis and with the agreement of the Ministry of Sustainable Development, that can be done, but then there would need to be an official approval by the Ministry. It would be for accepting the arrival of one (1) or two (2) trucks that are on the road and have already left the centre.

THE CHAIRWOMAN:

345 (Translation) But how could that be managed? Might you have to call the Ministry late in the day? Would there be someone? Will you get a verbal authorization?

MR. DENIS ROULEAU:

350 (Translation) Well, we'll have to discuss with the Ministry what would be the exact procedure, and then we can provide you with the specific procedure once it's drafted.

MR. JEAN MBARAGA:

355 (Translation) Yes, Mme. Chair, since it would be on an exceptional basis, we have to know what would be the administrative framework for all this.

THE COMMISSIONER:

360 (Translation) Do you have any documents that you would like to file from the RCM of Pontiac?

MR. PIERRE DUCHESNE:

365 (Translation) Good afternoon, yes, I do have some documents that I'd like to table with you. In answer to the question that was asked, the budget for 2007 is one million five hundred and ninety-seven thousand two hundred and fifty dollars (\$1,597,250.00). So, that is an increase of fifty percent (50%) in view of the fact that we have some new contracts this year.

370 Now, with regards to the questions that were put in a previous session, I have all the bylaws, regulations dealing with a TLS in Alleyn-and-Cawood municipality, as well as a resolution that says that this site is a regional site, and the control regulations, and a number of other documents that are related to this landfill site. And they're all included in the document that I'll be filing with you.

375

THE COMMISSIONER:

(Translation) You've already given your management plan for the residuals?

380 MR. PIERRE DUCHESNE:

(Translation) Yes, that resolution was adopted May 26th, 2006, and it has been adopted and came into effect in October, 2006.

385 THE COMMISSIONER:

(Translation) And those documents have been filed with the commission?

390 MR. PIERRE DUCHESNE:

(Translation) No, not the management plan of the residuals has not been filed, but I did give you an excerpt with regards to the disposal of waste that's part of our regional municipality, and it's part and parcel of the documents that I will be filing with you today.

395 THE CHAIRWOMAN:

(Translation) Okay, fine, is that all as far as the tabling of all the documents and all the questions that had not been answered?

400 MR. JACQUES NADEAU:

(Translation) From the City of Gatineau in light of the meeting that was held, we're talking about the management plan for the residual waste management plan for the City of Gatineau.

405 THE CHAIRWOMAN:

(Translation) Now, if you would like to participate and ask questions, the registry is now open. You are entitled to one question per person. You have to sign up with the registry. Some people have already signed up, and some people have pointed out to us that they would not be able to attend this afternoon or not this evening. They were not able to attend this evening. So, we're going to welcome this this afternoon; Mr...

415 MR. RAY THOMAS:

Yesterday afternoon - my name is Roy Thomas. Yesterday afternoon, you became aware that there was an engineering report prepared for the coalition against the Danford mega dump. I have tabled that document with the manager of the information, twelve (12) copies.

420 This document reviewed the LDC environmental impact studies. The engineers visited the site with me, and we considered the site. There is information in that document which casts serious doubt, as far as we're concerned, on whether or not there is a good aquifer in that site. We consider this has not proven, and this document addresses that particular issue.

425 I've also given a list of questions that I had intended to ask. I don't want to get bogged down into technical questions on that this afternoon, because I understand there's an intent of dealing with the Ministry of Transport question, but that is also available with your table at this time.

430 THE CHAIRWOMAN:

(Translation) Thank you; Mr. Steve Conolly, now, do you have specific questions that you would like to ask of the commission this afternoon. No? Mr. Jean-Marc Boucher; Mr. Steve Fowler now, Mr. Boucher was not there, Mr. Steve Fowler; Zinon Chmielowski, and the interpreter apologizes if it's mispronounced; Patrick Fowler, Mr. Patrick Fowler; Michel Turcot; Mr. Gerry Toomey; Mr. Georges McCormick; Mr. Ray Thomas.

MR. ANDRE POULIN:

440 (Translation) Mme. Chair, Mme. Chair, I'd like to - is that our specialist in hydrogeology was available yesterday afternoon, but is not available this afternoon. And I heard that there might be questions with regarding to the aquifer potential, and I might ask my expert to be here within, let's say, half an hour or forty-five (45) minutes, and if you would like him to be in attendance to deal with those issues as to the aquifer potential. We thought that question had been exhausted yesterday, but it is possible to have him here on site, as I said, in a short while.

445 THE CHAIRWOMAN:

(Translation) Maybe after the break, could he be in attendance for three thirty (3:30)?

450 MR. ANDRE POULIN:

(Translation) Yes.

THE CHAIRWOMAN:

455 (Translation) Thank you; so, we will be expecting him.

MR. RAY THOMAS:

460 Okay, my name is Dr. Ray Thomas. I'm not going to ask questions regarding aquifer at

this particular time. I'd like to address something to the Ministry of Transport. Residents along Highway 105 and 301 would be strongly affected by increased truck traffic caused by the mega dump.

465 In the hearings in the last couple of days at Mont Ste. Marie, we heard from one resident in Kazabazua, whose house is only a few metres from Highway 105, that seven (7) windows have been broken from truck traffic passing. In fact, the insurers refused to cover replacement cost, because policy, their policy, does not cover damage caused by passing traffic.

470 In the information obtained by the coalition from the Ministry of Transport under the Freedom of Information Act, the MOT assessment of the environmental impact study said few residents lived within thirty (30) metres of the centre of Highways 105 and 301. So, my question is: How many houses between Wakefield and the intersection of 105 and 301 do actually lie within thirty (30) metres of the centre of Highway 105?

475

THE CHAIRWOMAN:

(Translation) Mr. Jacques Henry from the Ministry of Transport, would you have an answer?

480

MR. JACQUES HENRY:

(Translation) Good afternoon, to answer the question, we have not carried out an inventory as to the number of properties within thirty (30) metres of the roadway. That information does not have that type of information, and I don't know if the RCM's would have that information, but, for us, it's not something that we have.

485

THE CHAIRWOMAN:

490 (Translation) Now, what about the regional county municipalities? Would you have that type of information?

MR. PIERRE DUCHESNE:

495 (Translation) No, we do not have that information. We only have the minimal standards that we have included in our development plan to be compliant with the Ministry of Transport.

THE CHAIRWOMAN:

500 (Translation) So, you have those standards. Are they in effect? But it doesn't take into consideration the buildings, the properties that were built before.

MR. PIERRE DUCHESNE:

505 (Translation) No, you're right.

THE CHAIRWOMAN:

510 (Translation) So, you would have only an estimate. So, no one has actual - the actual data.

MR. RAY THOMAS:

515 The numbers we actually saw in that information provided said about seven (7) dwellings. In actual fact, we have done an inventory ourselves, and we find over a hundred and thirty (130) such houses within that distance, which means that they're not - the report, the environmental impact study is incorrect in saying that the impact on houses along the 105 would be minimal.

MR. ANDRE POULIN:

520 (Translation) Mme. Chair, when we did an assessment of the transportation issue, we did the research, as it was presented yesterday, as to the impacts that would be attributed to vibration.

525 And according to the National Research Council, as you move further away from the roadway, the vibrations are of a minor significance. So, the question is to know at what distance, how many metres, would the impact be felt or it could be - cause breakage or have a major impact or less impact.

530 And we also looked at the number of dwellings that are located between Hull and Wakefield and all the way to Lachute, because, currently, the trucks go - use Highway 148, and the number of houses or dwellings between Lachute and Gatineau is much higher than on the 105 and the 301. So, the trucks, since 1991, have been using Route 148.

535 So, there's a good sampling, because we're talking about sixteen (16) years of numbers where all the trucks go from Gatineau to St. Jean-de-Matha and then St. Nicéphore. Then, they go to Ste. Sophie, and now they travel all the way to Lachute. And since I think it's 1997, and maybe Mr. Nadeau could give me the exact date.

540 MR. JACQUES NADEAU:

(Translation) So, the City of Gatineau, since 1998, they've been using that route since 1998.

545 MR. ANDRE POULIN:

(Translation) And since the closure of the Cook site in 1991, all the trucks now use Highway 148, and we're talking about twenty thousand (20,000) odd dwellings between Gatineau and Lachute and the Highway 148. And the number of dwellings between Gatineau and Danford Lake, we're talking about three thousand (3,000) dwellings. So, there's a major difference there.

550 However, the number of dwellings within the thirty (30) metre radius has not been taken. We haven't done that inventory, Mme. Chair.

555 MR. RAY THOMAS:

Does the promoter consider that, in fact, Highway 148 is comparable in quality to 105 and 301?

560 MR. ANDRE POULIN:

(Translation) Mme. Chair, the Route 148, as far as quality, I drove down that highway personally, but to carry out an assessment, a comparative analysis of the 148 and the 105, I would not be the right person to make a judgement on that, Mme. Chair.

565 THE CHAIRWOMAN:

(Translation) Yes, it would be the Ministry of Transport.

570 MR. JACQUES HENRY:

(Translation) I do not have any figures to quote from, but what I can say is that the traffic volumes are much higher on the 148 as compared to Route 105. There is a lot of traffic all the way up to Wakefield, but then, past Wakefield, the volumes drop considerably. And up until Wakefield, let's say twelve thousand (12,000) vehicles per day. And beyond Wakefield, it goes to four (4,000) or to five thousand (5,000) vehicles per day.

580 While, on the 148, we're talking about - when you use 148 from Mason, you'd have twelve (12,000) to fifteen thousand (15,000) vehicles. And after that, the traffic flow is about eight (8,000) or nine thousand (9,000) vehicles all the way to Lachute. So, as far as numbers, traffic flow, it's much more important on the 148 as a whole.

585 And to confirm what the gentleman was saying, we do not have an inventory of all the dwellings, but we know that there is more access to the 148 as compared to the 105.

THE CHAIRWOMAN:

(Translation) Thank you.

590 MR. RAY THOMAS:

My only comment is that because the numbers are lower, and the relative increase in traffic along the 105 and the 301 would be greater on a percentage wise, and, therefore, the impact would be greater.

595

THE CHAIRWOMAN:

(Translation) Thank you; Renato Livinal, are you in the room?

600 MR. RENATO LIVINAL:

Good afternoon, Mme. Chair, Mr. Commissioner, my name is Professor Renato Livinal, good afternoon to you. I am the owner and developer of a four hundred (400) acres, Lac Miljour Estate, and a collaborator of the Mont O'Brien Association proposed nature park since 1987.

605

I thank you for the opportunity to afford me for the past two (2) years of stonewalling by the municipality administration of Danford Lake of Alleyn-and-Cawood and the MRC of Pontiac - as of lately, I've learned - and for the past two (2) consecutive days of the endless, uncorroborated, and severely flawed presentation by the LDC proponent, to present my second question afforded to me in the past two (2) days.

610

My question is in two (2) parts. (A), Does the LDC and the Danford Lake municipality, are they aware of the ongoing effort for the Lac Miljour Estate project...

615 THE CHAIRWOMAN:

(Translation) Could you start from the beginning of your sentence, please?

620 MR. RENATO LIVINAL:

My question is in two (2) parts. (A), Does the LDC and the Danford Lake municipality, are they aware of the ongoing effort for the - or by the Lake Miljour Estate project and the Mont O'Brien Association, years of effort, to establish a nature park and an eco-tourism community?

625

Part 2 of the question: (B), In the various reports to the Ministry, Mr. Rouleau indicated that the proposed land would have a minimal impact on the people and the environment. In

relation to Lac Miljour Estate and the Mont O'Brien Association, what measurable and verifiable research did they carry out to substantiate his uncorroborated claims to the commission?

630 I thank you, Mme. President and Commissioner. I do like to submit some corroboration claims which came in yesterday to contradict yesterday's presentation by the LDC, if I may be permitted to submit that.

THE CHAIRWOMAN:

635 (Translation) Yes, you may do so.

MR. RENATO LIVINAL:

640 Thank you.

THE CHAIRWOMAN:

645 (Translation) So, you can introduce these documents now.

MR. RENATO LIVINAL:

650 Okay, yesterday, the LDC proposed or submitted a claim, and I perhaps would like to review it again. And they were talking about the highway accidents and deaths, which have occurred on the Highway 105, 301, and number 148. And that I would like to see that again, if they were kind enough to put it on the screen.

THE CHAIRWOMAN:

655 (Translation) So, can you give us the results, sir, from your team of this overhead? We would like you to present the results, and then we'll come back to the first question.

MR. PATRICK GAGNON:

660 (Translation) Patrick Gagnon, good afternoon, Mme. Chair, on this overhead, based on the information from the Ministry of Transport, we have identified all the accidents involving a truck and a car that took place between January 1st, 2002, and December 31st, 2006.

665 And on this slide, you can see the accidents involving trucks and cars, where a truck that goes off the highway has not been taken into account, but we've taken them into account, but they're not here on this overhead, on this slide.

Now, trucks and cars on Route 103, January 21st, 2002 to 2006, two (2) car - two (2)

accidents, one with a major injury and one with only damages to the vehicles.

670

Now, on the 105, fifty-two (52) accidents involving a truck and cars out of nine hundred and five (905) that were reported. Out of those fifty-two (52) reported, one truck and one vehicle, two (2) with fatalities, with death, and these are deplorable accidents. I wanted to point that out.

675

It's not written on the slide, but they are deplorable. So, two (2) fatalities, two (2) with major injuries, seven (7) with slight injuries and forty-one (41) with damages. So, out of the nine hundred and fifty-five (955) reported accidents, there were fifty-two (52) accidents involving a truck and a vehicle, and despite the fact that these highways have between fourteen (14) to eighteen percent (18%) truck traffic.

680

THE CHAIRWOMAN:

(Translation) Thank you.

685

MR. RENATO LIVINAL:

Mme. President, what I'm trying to establish or would like to establish that it appeared on the load downs and the newspaper load down of the local - of outer Wakefield, Quebec, LaPêche leads in highway deaths, accidents. The report and the research that was done was done through the actual police department of Wakefield, and it just doesn't corroborate with the LDC presentations. There are discrepancies between their presentations and what the police of Wakefield is stating through these particular reports.

690

So, this is just another one of the incidents that I'd like to bring to your attention, and the fact that there are discrepancies in the LDC presentations, and I'd like to take note of that.

695

The second part that I would like to bring forth to the commission is another discrepancy --

THE CHAIRWOMAN:

700

(Translation) Now, before you go to the second part of your question, would someone from the Ministry of Transport be able to provide us with additional information on this topic?

MR. JACQUES HENRY:

705

(Translation) Well, I do not have specifics with regards to these accidents. The gentleman pointed out that what was mentioned on the slide does not correspond to the reports provided by the police department. And if the commission so wishes, we can look into this and

710 provide figures. The proponent has given some figures, and if need be, we can provide you with the figures that we have at the Ministry.

THE CHAIRWOMAN:

715 (Translation) Thank you; you can continue.

MR. RENATO LIVINAL:

720 Thank you; the other discrepancy, Mme. President, has to deal with the presentation of the LDC, the initial presentation of the LDC, on a booklet or a flyer that was put out at the beginning of time entitled "The Facts". This was the document they produced to promote the wonderful mega dump for Danford Lake village.

725 In that, misleading as it might be as well, you have the beautiful green grasses, the chewed-up apples, and the beautiful family with the children. I can only imagine that beside a dump. In their proposition, in their claims, on page - there's no page to it, but I will show it to you, it says:

"Direct economic benefits established at sixty (60) million dollars for the local area".

730 That's their claims.

Point 2 states, Madam:

735 *"From twenty-two (22) to thirty-seven (37) full-time jobs, an annual payroll of one point five (1.5) million dollars based on the options being considered, the nature of the work to be done and around the site, and the number of relative activities now under study".*

740 That was the initial submission, Madam.

Out of one that the BAPE documentation, which I was able to retrieve from the Internet as of recently as last week, I believe, at the bottom of the page, Madam, it now says:

745 *"(Translation) The main impacts with regards to the road safety due to higher traffic of residual material will have a positive impact, because there would be a creation of twelve (12) jobs, and four (4) or six (6) of these jobs will be permanent jobs". (End of translation)*

750 Madam, I would like to bring your attention to the fact that, from the beginning to the current to the future, there has been very serious changes in the LDC positions. So, that is the other discrepancies. There are quite considerable more that needs to be done. The credibility of

the LDC has to be placed in doubt by the Ministry, in that the project has to be verifiable.

THE CHAIRWOMAN:

755 (Translation) I understand that these are documents that give different information, sir, but we will accept that you file this document, but we'll come back to your main question.

MR. RENATO LIVINAL:

760 Yes.

THE CHAIRWOMAN:

765 (Translation) So, the main question is going to be addressed to the promoter, to the proponent, and then to the RMC.

MR. DENIS ROULEAU:

770 (Translation) (...)

THE CHAIRWOMAN:

(Translation) (...)

775 MR. DENIS ROULEAU:

(Translation) (...)

THE CHAIRWOMAN:

780 (Translation) Prepare the map, please.

MR. DENIS ROULEAU:

785 (Translation) So, Mme. Chair, Mr. Livinal's property, I think, is around here, yes, about two (2) kilometres from the site.

THE CHAIRWOMAN:

790 (Translation) Can you confirm? Is that correct?

MR. RENATO LIVINAL:

795 (Translation) The map shown by Mr. Rouleau is not clear enough to identify exactly where
is my property. I have a map that was prepared for my own surveyor, and it shows clearly where
the project is.

THE CHAIRWOMAN:

800 (Translation) So, can you show it to them, so that people can...

MR. DENIS ROULEAU:

805 (Translation) Well, I can talk to Mr. Livinal. This property would be the Graveline property.
Here, there's the access road, and your property is just beside the outside of the road, of the
trench. So, your property is exactly close to the trench there. And until recently, waste was
burned here.

810 And according to Quebec legislation, no dwelling can be built, no well can be dug within a
radius of five hundred (500) metres from the trench. And in order to get a development project
approved, when Mr. Livinal goes ahead with his plan and asks for the required permits, he will
need the approval of a hydrologist about the five hundred (500) metre limit. And I'm told that such
a geologist, hydrogeologist, will not sign unless it's distant by one thousand (1,000) metres.

815 Now, in the initial discussions with the municipality, we have offered to clean up this
trench dump by taking out the waste that was in the trenches and getting rid of the potential source
of pollution, if you wish, and to bury that waste in the technical landfill site in order to avoid any
possibility of future pollution and contamination.

820 So, all this to say, Mme. Chair, that as far as I am concerned, the only chance that Mr.
Livinal would have to develop those lands would be if we are with a landfill site at Alleyn-and-
Cawood. Now, if we extend the radius, then I can ask Mr. Poulin to explain.

THE CHAIRWOMAN:

825 (Translation) Before giving him the floor, can you tell me if, indeed, the proposal that you
have made to the municipality to clean up the trenches, the trench dump. Is it still good?

MR. DENIS ROULEAU:

830 (Translation) Yes, the offer is still there.

THE CHAIRWOMAN:

835 (Translation) And what was the reaction of the municipality?

MR. DENIS ROULEAU:

840 (Translation) Well, it was a favourable reaction. The agreement has not been signed yet. There has been an agreement signed of two dollars (\$2.00) per ton. There's another agreement that is being negotiated, and everything is on the table. It is being discussed, but it has been offered right from the start, and it is still being offered.

THE CHAIRWOMAN:

845 (Translation) So, will there be a contract?

MR. DENIS ROULEAU:

850 (Translation) Yes, absolutely, there will be a memorandum of agreement, and it's our commitment. We've committed to this.

THE CHAIRWOMAN:

855 (Translation) It would be a kind of compensatory measure.

MR. DENIS ROULEAU:

860 (Translation) Offered to the municipality.

THE COMMISSIONER:

865 (Translation) Mr. Rouleau, if you tell us that you would be willing to take out the waste from the trench, will you check if the aquifer is contaminated, and if it is contaminated?

MR. DENIS ROULEAU:

870 (Translation) Well, those are not the environmental responsibilities for such a site, no. No, we will take out all the waste that could create problems, but we don't accept any responsibility.

THE COMMISSIONER:

875 (Translation) So, but the development would be possible if the waste is taken out?

MR. DENIS ROULEAU:

880 (Translation) Well, I don't know if there is already some contamination. That might have an impact. You're right, but I don't know. I don't know what is the present situation there relating to trench dumps. I don't think the present regulation requires that the quality of water be checked.

MR. ANDRE POULIN:

885 (Translation) Now, as to the impact study, it would be complicated to summarize all the impacts here, but relating specifically to the issue of the Mont O'Brien, you will understand looking at the map that Mont O'Brien is at the limit of the zone of the influence of the site.

890 But even if there was a radius of three (3) kilometres including Mont O'Brien, it has been demonstrated that, within the two (2) kilometre radius that is inside the zone covered by the impact study, the results, final results, demonstrate at Section 6 of the impact study, and I will summarize here the conclusion of the study, it's at Section 6.3 of the mitigation steps, page 280 of the document PR-3.1, which is the main report, so, the residual impact, that is impact after the implementation of the mitigation steps that have been mentioned during the description of the land site at the beginning of the meetings relating to water, to biogas, to leachates, and so on, so, the residual impact after the implementation of mitigation measures, as well as all the steps allow us
895 to conclude that all the impacts related to the site will be negligible to weak. That is our conclusion, Mme. Chair, and we maintain that conclusion. We stick to that.

900 Since Mont O'Brien or, rather, whatever is within the two (2) kilometre radius, we respect that standard that there would be low to negligible impact. We don't say there's no impact, but the impact is not from - is not important and not even medium.

THE CHAIRWOMAN:

905 (Translation) Now, about the RCM, do you have any information about the steps being taken for Mont O'Brien? Is there any cooperation? How will the situation evolve?

MR. PIERRE DUCHESNE:

910 (Translation) Mme. Chair, I will try to remember what steps have been taken, since I came at the regional municipality. I've been there since March, 2000. I know that the Association of Mont O'Brien - I think it was Mrs. Michèle Surat, who was the Chairperson. She had approached me relating to the project, and she explained the project in detail.

915 In our land use plan, we have identified Mont O'Brien as a site having a regional interest

on an aesthetic basis, but that is all. There is nothing relating to measures to be taken to protect that site. There have been other approaches made to the Pontiac RCM by this association, and, generally speaking, we have provided negative answers, because we wanted to know what were their development plans.

920

We demanded that there be a development plan in order to know what they were planning to do for the site, and we have passed a resolution. I can be mistaken about the month, but I know it's in 2006. We have demanded that a development plan be provided about this site, so that we can support any project launched for Mont O'Brien. We're still waiting for that development plan.

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THE CHAIRWOMAN:

(Translation) Is there a plan being developed?

930

MR. RENATO LIVINAL:

Mme. Chair, the project has been an ongoing project since the year 2000 and even before that, way before the LSC came to the fore. We're dealing with the Mayor of the municipality of Alwyn-and-Cawood, as well as with the previous building inspector. We have had several meetings contacted in view of creating this project, this development.

935

At that particular time, my property was zoned recreational. We're talking back in the 1980's now and then in the 1990's. At that point in time, we had the green light from the municipality. Those were done through different meetings that we've had, and it was all verbatim.

940

Because of the positive response and encouragement that we got from the municipality, I proceeded to start developing my property with a view of having this tourist development in conjunction with the Mont O'Brien Association. So, back in the year 2000, we - I agreed to access the right of way to the municipality membership, to the associations, so that it can actually reach the Lake O'Brien and the Mont O'Brien, because that is the only way they can actually get to the back of that property.

945

So, we have been working on this, Mme. President, for all these years.

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THE CHAIRWOMAN:

(Translation) But quickly, please.

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MR. RENATO LIVINAL:

960 Yes, okay, so, the bottom line of the story is that, all along, the clear encouragement by the municipality was that all we really had to do is apply for a building permit of fifty dollars (\$50.00), and that we would go ahead with that.

965 Now, when Mr. Rouleau came to the fore, the Mayor approached me with a personal visit to my house together with the inspector, encouraged me to back up the LDC projects with a view that they were actually going to clean up my garbage dump in the back of my property. So, if I was collaborating with the Mayor and the inspector, that I would go together with Rouleau, they would actually clean up my - the back of my lot, the back of the garbage dump that's currently behind the property.

970 I refused to do that, of course. So, since that time, the book was thrown at me, and, all of a sudden, they have all kinds of regulations, regulations which never existed right up to the appearance of Mr. Rouleau.

975 What I'm going to show to the committee is that the municipality has been running on a shoestring type of things. Blueprints for a building permit was done on a piece of paper, just to give you an idea as to how things were run at the municipality.

980 So, all of a sudden now, I'm faced with all of these. And, of course, they have now refused - today, they have refused to issue me a building permit not only within the latest regulations of the - I forget the actual measurements, which will kill most of my property, but also the fact that they are refusing to issue me a single building permit for a single house, dwelling. This is all in retaliation, because I have been fighting the LSC, thank you.

THE CHAIRWOMAN:

985 (Translation) Yes, but, for Mont O'Brien, is there a plan that is being prepared?

MR. RENATO LIVINAL:

990 The plan for the Mont O'Brien has been ongoing, Madam, since the year 2000, since we've been at it to actually build the road. We have built the road, and we can demonstrate that to the commissions, through volunteers, through the involvement of the municipality herself and through myself, through my personal --

THE CHAIRWOMAN:

995 (Translation) Is there a plan, a definite plan, a document?

MR. RENATO LIVINAL:

1000 There are several documentation, which I do not have in my possession, and that is - they are in possession of the president of the association.

THE CHAIRWOMAN:

1005 (Translation) Okay, could you check if there is a plan on paper? I guess that is the type of document that you've been requesting describing what they intend to build.

MR. PIERRE DUCHESNE:

1010 (Translation) Yes, exactly, we want to know the limits of the site in question. We don't know. We don't know what are the - what is the intentions of the association for developing the mountain. It's a mountain.

1015 And I want to add some information. We have asked three (3) times for such a plan since the year 2000. We've never obtained it. We've already had discussions to the effect of creating a regional park at Mont O'Brien. We have the power to do that at the Pontiac RCM. It's under our power, according to the legislation, but, unfortunately, since there has been no follow-up, we've stopped. We are waiting.

1020 THE CHAIRWOMAN:

 (Translation) Could we get more information from the National Resources Ministry? And then, we'll go to someone else. You can come back to all these when you move your brief.

1025 MR. RENATO LIVINAL:

 Thank you.

MR. PATRICK AUTOTTE:

1030 (Translation) Yes, Patrick Autotte, some additional information about a possible development plan from the Association of Mont O'Brien, I have to remind you that those are Crown lands. There has been a request from the association to develop an access road, as the gentleman mentioned. There had to be an authorization from the Natural Resources Ministry to
1035 build that access road, and that has been done.

 There has also been, last year or the previous year, a request for a footpath, but there is no specific plan. It has just been shown on a map for a few footpath, but no authorization has been granted. And there seems to be a kind of plan, a willingness of the association, to develop

1040 some footpath. And as far as I know, it's actually relating to existing footpath.

THE CHAIRWOMAN:

1045 (Translation) So, what we understand from all this is that the Ministry and the regional municipality would like to have more detailed information about your plans quickly.

MR. PIERRE DUCHESNE:

1050 (Translation) The last time Mr. Autotte talked about footpath, that would confirm - or trails, we had a very brief description of those trails, but we could not locate them on a map. So, it's very difficult for us to approve that.

MR. RENATO LIVINAL:

1055 (Translation) Mme. Chair, I have a map showing those trails. I don't have that with me, but I can provide it.

THE CHAIRWOMAN:

1060 (Translation) Additional information on this?

MR. ANDRE POULIN:

1065 (Translation) No, just to conclude about the statistics and to facilitate the work of the Ministry of Transportation about the accidents, those statistics come from an e-mail from the Ministry of Transportation to us. So, we're ready to table that e-mail.

THE CHAIRWOMAN:

1070 (Translation) The Ministry of Transportation, you received those statistics, those figures, from where?

MR. JACQUES HENRY:

1075 (Translation) Well, we get that from the Sûreté du Québec four (4) times a year by batches. It's all on computer. So, we have all types of information about the number of accidents, the types of accidents, fatalities, and so on.

THE CHAIRWOMAN:

1080 (Translation) So, those figures are the official figures of the government.

MR. JACQUES HENRY:

1085 (Translation) Yes.

THE CHAIRWOMAN:

1090 (Translation) Alright, so, you will be able to come back on this matter when you table your brief, but you understand that, for Mont O'Brien, what would be needed, a more detailed description of the development plan. Actually, I suppose you could meet about this.

MR. RENATO LIVINAL:

1095 (Translation) Thank you.

THE CHAIRWOMAN:

1100 (Translation) Mr. John Edwards.

MR. JOHN EDWARDS:

1105 Mme. Chair, Commissioner Labrie, two (2) days ago I asked why the promoter had favoured a referendum in respect to his unsuccessful attempt to get a dump at Quillon, but had not shown the same degree of interest in a referendum in Danford. At the time, he gave me a very concise reply. Namely, in the case of Quillon, it was private property, and a referendum was required. In the Danford, it was public property, and that's a different situation.

1110 This, however, is not the full story, in my judgement. The promoter held a meeting with west Quebec municipal officials in early 2006, probably in the building we were in yesterday, certainly somewhere near Lac Ste. Marie. One of those present, a councillor from the municipality of Low, Steve Conolly, has stated in writing that he asked the following question to the Mayor, to Mayor Squitti of Danford, and to the promoter, and the question was:

1115 *"If all twenty-two (22) of the environmental studies relating to the proposed mega dump site at Danford Lake were to be found acceptable, but a majority of the affected population was still against the implementation of the mega landfill, would you still proceed with the implementation of the proposal?"*

1120 According to this written report from Steve Conolly, both Mayor Squitti and Mr. Rouleau stated that, given such a situation, they would not proceed. He carried on in his written report, which I will certainly table with the commission, that both individuals appeared to be honest and sincere in their response.

1125 Moreover, in an earlier communication with the City of Gatineau on June 6th, 2005, the promoter, seeking that city's support for his proposal, asserted that, from preliminary conclusions - pardon me, from preliminary consultations, close to one hundred percent (100%) of the local community was in favour of it. Again, we can table that document with you, too.

1130 My question is this: When did it dawn on the promoter that a substantial majority of Allyn-and-Cawood ratepayers were opposed to his project?

MR. DENIS ROULEAU:

1135 (Translation) Well, at the beginning, right from the start, our initiatives to inform the population through mail communications, through the setting up of committee, and month after month we kept receiving new persons who came to the meetings, and it became question and answer sessions. And I think the participants left satisfied. There were no major objections during those meetings.

1140 It is only much later that the coalition came up, and that the opposition appeared. Actually, it was during the presentation of a study, immediately after the tabling of the impact study. We had made a presentation to present the plan. We had invited persons to that. Then, we tabled the project notice. We spent a year to carry out the impact study without any reaction. And just when
1145 we were going to table that impact study, the opposition appeared.

 Now, at the stage we were at that time with the completed study and with the support of the permanent residents, the people who live there in the Pontiac on a permanent basis who earn their living in the Pontiac, that is their daily reality, those persons, I believe, have provided their
1150 answers. And the permanent residents have distributed a petition, and they will table it to the Bureau, and it will show that at least fifty percent (50%) of the permanent residents strongly support the project.

MR. JOHN EDWARDS:

1155 Mme. Chair, I'm not certain what the promoter is saying. Is he suggesting that ratepayers who spend a large part of their - each year at their seasonal dwelling are entitled to vote in elections, are in some sense second-class citizens?

1160 MR. DENIS ROULEAU:

 (Translation) No, that's not what I claim at all very respectfully. I own a cottage in that municipality. So, I would be speaking against me to do something like that. The fact that we don't use the site during the weekends or twelve (12) months a year, that is the period where, for the
1165 big majority of people who come to their cottage, the fact that we are very far, very isolated from those cottages, and that, according to results of the study, the impacts would be minimal

especially for those persons. So, no, I think that statement is not fair.

MR. JOHN EDWARDS:

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Mme. Chair, does the promoter accept that there is a substantial majority of ratepayers in Alleyn-and-Cawood who are opposed to this project?

MR. DENIS ROULEAU:

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(Translation) It seems obvious, yes, Mme. Chair, that there is a high percentage. The exact level I don't know, but it's obvious that there is a strong - a high percentage of ratepayers, of owners of cottages, who are opposed to the project, yes.

MR. JOHN EDWARDS:

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And also our permanent residents, too, Mme. Chair; I have, if I'm permitted, a question, a brief question, to the Ministry of Municipal Affairs who, I believe, is represented here this afternoon. My question is as follows.

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Even if it was technically legal, was it appropriate, indeed, is it appropriate to sidestep a referendum promised to the ratepayers of Alleyn-and-Cawood and thereby to protect the inducement, the payment, from the promoter to the municipality of an annual sum for each of the next thirty (30) years that could equal its current budget; secondly, to protect the same kind of payment to the MRC Pontiac being considered by the promoter for a sum for each of the next thirty (30) years that could amount to one-third of its current budget; and, finally, to support the ambitions of the promoter to achieve a highly profitable de facto monopoly on Outaouais garbage disposal?

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MR. PIERRE RICARD:

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(Translation) Mme. Chair, Commissioner, as far as the referendum is concerned, and I stated that yesterday evening, that is a matter that can be decided by the municipal council. It is a matter of politics. Elected people are the management board of the municipality. They have been elected by the population, and they have the responsibility and the powers of municipal elected people. They are accountable. They pass laws or bylaws. They administer the municipality, and always want to ensure the good of the citizens and of the municipality, the legal entity that is the municipality.

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Now, whether that is moral or correct or not, appropriate or not, that is a decision to be made by the municipal council, not by the Ministry. I cannot go any further than that. It's a matter of political opportunity. And I stated yesterday a municipality is a government, and they have some independent power under the act.

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1210 THE CHAIRWOMAN:

(Translation) Now, I would invite you to mention this in your brief, because we have covered to a large extent the referendum, so, thank you very much. Is Mr. Shannon Martin in the room? Linda Cronk? Cindy Duncan-McMillan?

1215

MS. CINDY DUNCAN-McMILLAN:

(Translation) Good afternoon, Mme. Chair, Mr. Commissioner, I'm Cindy Duncan. I am the President of the Gatineau River Association. The Quebec water policy announced by the Minister of développement durable, environnement et parcs en 2002 established an integrated watershed management. Our watershed committee's mandate is to improve and protect the water quality of the watershed, the whole watershed, regardless of political boundaries. So, we are limited by geography, not by MRC's or municipalities.

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The Picanoc River is an important tributary of the Gatineau River. It's important and it's pristine. The quality of the Picanoc River we, as a watershed committee, are mandated to protect. I wish to advise you, Mme. Presidente and M. Commissaire, the concern for the preservation of the quality of the Picanoc River has been identified repeatedly at our public consultations. These public consultations are part of the mandate we have received from the Ministry de développement durable, environnement et parcs.

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Yesterday, at Mont Ste. Marie, we heard there will be eventually leaching of leachate into the Picanoc River. Both the promoter and the Ministry of Environment agreed this would happen. What was in dispute was when, not if it would happen.

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On behalf of our committee, à table de consultation that is funded and guided by the Ministry of environnement, I would like to ask this question. Considering that the Ministry has publicly acknowledged that the leaching of leachate will happen, is the Ministry of développement durable, environnement et parcs prepared to accept the inevitable degradation of the Picanoc River and the Gatineau River?

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THE CHAIRWOMAN:

(Translation) So, the Ministry of Sustainable Development, Environment and the Parks.

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MR. JEAN MBARAGA:

(Translation) Mme. Chair, obviously, the citizens must remember that the government cannot authorize a project that will bring about degradation to the environment. We are monitoring the project. And if it is going to be authorized, it has to be in compliance with our conditions, so that the leachate will not bring about degradation of the environment nor the

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quality of the water in the river. So, the leachate has to be treated, if it's going to be going into the river.

1255 THE CHAIRWOMAN:

(Translation) Will you be here this evening, Madam?

MS. CINDY DUNCAN-McMILLAN:

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(Translation) No, I was there last night and yesterday.

THE CHAIRWOMAN:

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(Translation) Would you require more information on this topic?

MS. CINDY DUNCAN-McMILLAN:

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(Translation) Yes.

THE CHAIRWOMAN:

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(Translation) Because we have a number of topics that need to be dealt with, and I'm wondering how we can meet all the needs. We have very little time this afternoon, but we have experts from the various ministry dealing with waste in aquatic settings, and they've talked about that in the past. So, am I to understand that there will be waste into the river that is the promoter's - the proponent's project?

MS. CINDY DUNCAN-McMILLAN:

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(Translation) Yes, I know that, and the Ministry of the Environment says that there's going to be monitoring of this effluent into the river.

MR. ANDRE POULIN:

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(Translation) When you say effluent emissions that are going to be treated according to the standards, yes, there are effluence, but they are treated. This is effluent that is treated according to the code, according to the standards, and according to the regulations. This is not non-treated effluent emissions into the river.

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MS. CINDY DUNCAN-McMILLAN:

(Translation) Yes, I understand that.

1295 THE CHAIRWOMAN:

(Translation) We saw last night or yester day the map as to where the effluent would occur, and the Environment Ministry experts described to us the standards and the code. So, is it beyond the norms or the standards that are part and parcel of the regulation? And the Ministry sets quality goals or objectives or environmental goals to take into consideration the receiving environment to maintain the potential use or the existing use of that environment. And that analysis is done automatically for all new projects, be it a project that comes before the BAPE or other types of projects. And these projects must meet the regulations.

1305 MS. CINDY DUNCAN-McMILLAN:

(Translation) Now, what about the monitoring? The monitoring is going to be done by the vigilance committee or the monitoring committee?

1310 THE CHAIRWOMAN:

(Translation) Yes, the monitoring will be carried out by the proponent. He must do quality control visits and must submit quality control reports. And it's submitted to the Ministry of Sustainable Development, Environment, and Parks, and to the monitoring committee, and it must make these reports public as soon as they are made. And they're made public through the Internet. So, those findings, those results, would be known.

Now, the Ministry of Sustainable, Environment, and the Parks also carries out some controls, and these controls are not automatically made public. The vigilance committee or monitoring committee must ask for these results to be made public. That's what we understood.

1320 MR. JEAN MBARAGA:

(Translation) Yes, you are right, Mme. Chair. These are controls from the Ministry of Sustainable Development, Environment, and Parks. These controls - now, how can I put it? These findings are not hidden, but these findings can be made public if it's requested by the vigilance or monitoring committee. So, they're not hidden, but if the - the vigilance committee must ask for these results.

1330 THE CHAIRWOMAN:

(Translation) And if they say once, just put in a one-time request, will you make all of the reports available?

1335 MR. JEAN MBARAGA:

(Translation) Yes, if the vigilance committee wants to have access to these reports, they

will be forwarded.

1340 MS. CINDY DUNCAN-McMILLAN:

(Translation) Now, can the public ask the vigilance committee to have access to these reports?

1345 THE CHAIRWOMAN:

(Translation) Okay, now, we'll move to the Ministry of Sustainable Development. Can the public ask for - ask questions in light of the results that have been made public following these control reports?

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MR. JEAN MBARAGA:

(Translation) Yes, the vigilance committee actually represents these citizens. It is the vigilance committee that is the connection or the link between the proponent, the Ministry, and the citizens. So, if you do have questions that you would like to ask of the Ministry or of the proponent, you can ask them directly yourself, but you can go through the vigilance committee that will get in touch with the proponent, and the proponent must reply.

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THE CHAIRWOMAN:

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(Translation) And based on the section of the act or the legislation, if the other citizens are not happy with the vigilance committee's work, it can ask for the Ministry or the Minister of Sustainable Development, Environment, and Parks to appoint someone else to sit on this vigilance committee.

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MR. JEAN MBARAGA:

(Translation) Well, no, that is - you're talking about something else. If the vigilance committee is rejected by the citizens --

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THE CHAIRWOMAN:

(Translation) No, we're not saying rejected, but there's an article that says that the Minister can appoint someone to sit on the vigilance committee.

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MR. JEAN MBARAGA:

(Translation) Yes, I had understood rejected.

1380 THE CHAIRWOMAN:

(Translation) No, I meant added.

MR. JEAN MBARAGA:

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(Translation) Yes, someone can be added. Another appointment can be made, yes, to the vigilance committee. Another member can be appointed to the vigilance committee. Yes, that is something that's doable and possible.

1390 THE CHAIRWOMAN:

(Translation) Yes, does that answer your question?

MS. CINDY DUNCAN-McMILLAN:

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(Translation) Yes, it does, Mme. Chair.

THE CHAIRWOMAN:

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(Translation) Well, we're going to have a small break, but before we do break, I'd like to do a little in-house survey here, a little referendum here, a little in-house survey, if you will. Pierre-Louis Lafleur, are you in the hall? No, maybe we can call him back after. André Carrière, are you in the hall? Will you be here this evening as well? Okay, Paul Dingleline, you are here. Are you going to be here this evening as well? And the three (3) others will not be here, will not be

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able to attend this evening. So, after the break, we'll hear from Mr. Ed Masotti.

MR. ANDRE POULIN:

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(Translation) I would like to point out, Mme. Chair, that our expert of hydrogeology is available.

THE CHAIRWOMAN:

(Translation) Fine.

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MR. ANDRE POULIN:

(Translation) And it was in reference to the potential of the - the aquifer potential.

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THE CHAIRWOMAN:

(Translation) Yes, the ground water, yes, so, we'll be back in ten (10) minutes.

SHORT ADJOURNMENT

1425

THE CHAIRWOMAN:

(Translation) Mr. Ed Masotti.

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MR. ED MASOTTI:

Thank you, Mme. Chair, Mr. Commissioner, before I ask my question, can I just do a follow-up to what Mr. Mbaraga said this morning? He mentioned that he's looking at all of the trucks that are going to Cantley and Perkins, and that he will get back to us. Can I have an approximation of when he will get back to us? And, secondly, who or what is he consulting?

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THE CHAIRWOMAN:

(Translation) For this to be translated, we would ask you to not speak so quickly and not read from your documents, please.

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MR. ED MASOTTI:

Okay, I'll go again. Mr. Mbaraga, this morning, said that he is looking into the number of trucks that go to Cantley and Perkins, and he will get back to us. Can I ask who is he consulting or what is he consulting, and when he will get back to us?

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MR. JEAN MBARAGA:

(Translation) Well, Mme. Chair, it is the branch of our Ministry that did a calculation that is on the site of the Ministry of Transport.

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THE CHAIRWOMAN:

(Translation) And when are you going to be getting back to us?

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MR. JEAN MBARAGA:

(Translation) Well, as soon as possible, and they are doing their calculations as we speak. And if someone will bring the information to me maybe even this afternoon, and I'll be able to share it with you.

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MR. ED MASOTTI:

Thank you very much; my question is as follows. It was mentioned earlier today that the

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hours of operation of the dump are from seven (7:00) a.m. to six (6:00) p.m. It was also mentioned, unless there's extraordinary circumstances, all the traffic is going to be - all of the truck traffic generated by the dump is going to be during those hours of operation.

1470 In the environmental assessment, the promoter based the impact of the extra trucks on all traffic on the 105 for a twenty-four (24) hour period. And I believe the estimate was about one percent (1%) increase. My question is: Why did he base it on a twenty-four (24) period instead of the hours of operation?

1475 MR. ANDRE POULIN:

(Translation) Mr. Boilard is not here currently, but what I understood yesterday as the acoustics or the noise expert, so I will just give you an answer to the best of my knowledge. What I understood yesterday is that he had to - we have to establish what we call in our own jargon, we had to calibrate the model. And that means that he must calibrate the background noise, establish the conditions, the noise conditions, the ambient noise, in a given day. So, that's in twenty-four (24) hours. And what I understood from Mr. Boilard...

1485 THE CHAIRWOMAN:

(Translation) One moment, please.

MR. ANDRE POULIN:

1490 (Translation) And what I understood from his reply yesterday is that the validation of this modelling can be done in - regardless of the conditions, regardless of the day, and I even asked him this question. It could have been done also during weekend.

1495 What's important to establish is the current existing conditions in a given day, be it raining, not raining, snowing, no snow, whatever. It's just a measurement that has to be done in a twenty-four (24) period, so that he will be able to use his formula to assess the noise.

1500 And if he comes back in the future, that will be the reference point. And if there's an error, it's relative if it's not as representative as a day that would have been a good day. So, he evaluates the acoustics on - with this reference data of twenty-four (24) hours. And maybe I didn't explain it correctly, and maybe Mr. Boilard can say.

THE COMMISSIONER:

1505 (Translation) Well, I don't think the measurements are taken over a twenty-four (24) period, unless I'm mistaken. It seems to me that the study does not indicate that, and that's not

what I heard yesterday, but it was established on a twenty-four (24) hour period, because the criterion used by the Ministry of Transport is based on a twenty-four (24) hour period.

1510 MR. ANDRE POULIN:

(Translation) Well, it was twice, two (2) measurements, twelve (12) hours each. So, it's not on a twenty-four (24) hour consecutive. Yes, you're right. So, it's two (2) measurements, twelve (12) hour periods, fine, thank you.

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MR. ED MASOTTI:

Mme. Chair, I obviously have a problem communicating. That was not my question. My question is that the hours of operation are from seven (7:00) to six (6:00), okay. All of the traffic is going to come during the hours. All of the dump traffic is going to come from the hours of seven (7:00) a.m. to six (6:00) p.m., okay. This is going to have an increase in overall traffic, okay. The estimate by LDC is the increase in traffic is one percent (1%) on the 105.

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My question is: He did that estimate on a twenty-four (24) hour period. My question is: Why is it on a twenty-four (24) hour period instead of the hours of operation? I would further add the point that the developer was strongly suggested to do more surveying on the 105, and he refused to ignore that request.

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MR. DENIS ROULEAU:

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(Translation) Patrick Gagnon will answer this question.

MR. PATRICK GAGNON:

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(Translation) Good afternoon, Mme. Chair. Mr. Boilard used the techniques for noise, to establishing the noise level, and this is established by the Ministry of Transport. It's called the LEQ-24, and this is over a twenty-four (24).

THE CHAIRWOMAN:

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(Translation) I think you don't understand the meaning of the question. The meaning of his question is the gentleman is wondering is if you spread it over a twenty-four (24) hour period, the increase in the number of trucks rather than concentrating them on the operating hours, where there will be more concentration of trucks.

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So, have you taken that into account, that the trucks are going to be running on a twenty-four (24) period, or the trucks are going to be running through this highway from seven (7:00) a.m. to six (6:00) p.m.? That is the nature of his question. So, on a given segment of the

highway, there will be a doubling of the number of trucks. That's what he wants to know.

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MR. ANDRE POULIN:

(Translation) Mme. Chair, we will stop talking in our little bubble here, and I think we'll get in touch with Mr. Boilard.

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THE CHAIRWOMAN:

(Translation) So, will Mr. Boilard be here this evening to give an answer?

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MR. ED MASOTTI:

No, I will not.

THE CHAIRWOMAN:

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(Translation) Well, they will take this question. They will note down your question, and we'll have a more specific answer this evening, and you'll be able to read it in the transcripts.

MR. ED MASOTTI:

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May I ask also that they address that they were strongly suggested to do more surveying on the 105, and they ignored the suggestion? And will they address that?

THE CHAIRWOMAN:

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(Translation) What area are you referring to, and where should it be done? With the map, maybe we can point it out on the map where these surveys should take place.

MR. ED MASOTTI:

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When you look at the map and if you look at the table - is it on page 160 or whatever - they show the traffic on 105 at specific points along the 105 from Wakefield to Kazabazua, okay. Those are the areas that I'm particularly interested. The majority of impact of traffic on people is going to be on that corridor and the village of Danford Lake, okay. So, if they put up a table at --

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THE CHAIRWOMAN:

(Translation) Can you show me the zone, please, that we don't have the statistics for? Could you show it on the map?

1590

MR. DENIS ROULEAU:

(Translation) Yes, from Wakefield...

1595 MR. ED MASOTTI:

From there...

1600 MR. DENIS ROULEAU:

(Translation) From Wakefield all the way to Kazabazua.

MR. ED MASOTTI:

1605 To there.

MR. DENIS ROULEAU:

(Translation) And here when you go into the village.

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MR. ED MASOTTI:

That's it.

1615 THE CHAIRWOMAN:

(Translation) You're talking about the noise impact. You're talking about the noise impact.

MR. ED MASOTTI:

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No, the increase in traffic during the hours of operation, not over - the developer is saying that, on the 105 --

THE CHAIRWOMAN:

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(Translation) Okay, I agree with you. So, do you have something clear with regards to the number of vehicles and the increase in the number of vehicles? And there is a table in the study that deals with the increase of vehicles, but I think it would be useful to have the number of trucks for this to be very clear. I'll give the floor now to the Commissioner.

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THE COMMISSIONER:

1635 (Translation) Now, you talked about the increased percentage in the number of trucks, and you talked about the increased traffic, but we are talking the increased number of trucks on the road. So, there is an increased number of trucks between Danford Lake and Kazabazua of seventy-five percent (75%), and we had asked you to review that and to give us a bit more specifics with regards to that increased traffic.

MR. PATRICK GAGNON:

1640 (Translation) Mr. Commissioner, yes, in fact, if you look at the truck data and compare data with trucks and trucks, it seems to give us seventy-five percent (75%) increase, but when you look at the data from the Ministry of Transport, it's the overall number of vehicles that are posted. And for a given segment of the highway and in the transportation plan and below four
1645 hundred (400) number of vehicles, it's low. And I can --

THE CHAIRWOMAN:

1650 (Translation) I think you don't understand the question. I think you don't understand the question. Have a glass of water. Maybe that will help. So, what's important to understand, okay, we're going to restate the question.

THE COMMISSIONER:

1655 (Translation) I'm going to restate the question. What we would like to know is the increase, the percentage increase, of trucks on the segment between the site and Kazabazua and the increased number of trucks on Highway 105, because the rest doesn't change if the project goes forward or not. The same number of trucks will be using that, those routes. It's the increased number that is important to us and in the noise level. Do we agree with that?

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MR. ANDRE POULIN:

1665 (Translation) Yes, Mr. Commissioner, if you allow me to make a little nuance in calculating the increase in percentage. His Worship, Mr. Mayor, yesterday raised an item that needs to be taken into consideration in light of the forest crisis in the Pontiac area and throughout Quebec, I should say. There's this forest crisis.

1670 What he said on the telephone is that there was a reduction, and he didn't have the figures, but he felt that there was a drop in the number of trucks because of the closure of mills. And so, the number of trucks is being reduced, and the percentages will also be difficult to establish.

THE COMMISSIONER:

1675 (Translation) And if that is the case, it's other types of trucks, not those transporting waste, but the ones going to Danford Lake are going to be higher, and this is going to be more visible by the citizens. And in keeping with Mr. Masotti's question, what I was able to understand is that the impact on the 105 at Kazabazua, that's where you say that there will be an impact that is underestimated by the promoter. Is that what you're saying?

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MR. ED MASOTTI:

I think, generally, on the 105, from Wakefield all the way to Kazabazua and through Danford Lake, the increase is underestimated. He's saying there's a one percent (1%) increase in overall traffic during a twenty-four (24) hour period.

1685

I want to know what's the increase in traffic during the hours of operation along those four (4) points, during the hours of operation. You've got that table in your report. It's for twenty-four (24) hours. Give it to me for the hours of operation.

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THE COMMISSIONER:

(Translation) Now, is the question clear?

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MR. DENIS ROULEAU:

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

MR. PATRICK GAGNON:

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(Translation) Mr. Commissioner, Mme. Chair, you must understand, well, the traffic flow during the night, there are fewer number of vehicles. So, that exercise wasn't done to give a percentage for each hour of the day for the - the exercise was done on an average daily flow. And the recalculations were done to see if it was accurate.

1705

Now, for the noise study, we used the number of trucks, maximum capacity, and which is very high, and we added another twenty-five percent (25%) number of trucks to carry out the noise study. So, we did - this is the worst-case scenario, in other words. So, we did the noise level study with an increase of twenty-five percent (25%). And this is with a number of trucks that is considered to be very high, and this is maximum capacity type trucks. So, it's really the worst-case scenario.

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THE COMMISSIONER:

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(Translation) And by using the average daily flow that was done by the Ministry of

Transportation and which is over a twenty-four (24) hour day, and these are the data that you saw, Mr. Citizen, which is in the document 5.1, and that's where you have seen the increase of a hundred and twenty-five percent (125%) increase in trucks.

1720 THE CHAIRWOMAN:

(Translation) Well, I think it would be useful once you get the answer on the number of trucks. What the citizen is asking is what is expected in the number of trucks, in the increase in number of trucks during the hours of operation of the landfill site. Could we have an overview of that? Is that possible?

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MR. ANDRE POULIN:

(Translation) Yes, it is possible, if you provide us with some time between five (5:00) and seven (7:00) p.m., we'll be able to do the compilation.

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THE CHAIRWOMAN:

(Translation) And some of your friends or colleagues will be able to give you some figures.

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MR. PATRICK GAGNON:

(Translation) Mme. Chair, we would need a bit more time than that, because we have to compile all the data between given hours.

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THE CHAIRWOMAN:

(Translation) Yes, but what's important here is to have the right figures, the right data. Take the time that you need to do the compilation, and the citizens would like to get the information as quickly as possible. What's important here is to answer the question with the right information, and do your diligent work, and people will understand, thank you.

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MR. PATRICK GAGNON:

(Translation) Mme. Chair; I just want to be sure that you would like us to look at during the hours of operation from seven (7:00) a.m. to six (6:00) p.m., and the number of vehicles and the number of trucks before and after, between seven (7:00) a.m. and six (6:00) p.m.

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1755 THE CHAIRWOMAN:

(Translation) Yes, that's what I understood as well.

MR. ED MASOTTI:

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Exactly, exactly, a closing statement, Mme. Chair, a closing statement, Mme. Chair, before I leave, may I make one statement?

THE CHAIRWOMAN:

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(Translation) Yes, go ahead, quickly.

MR. ED MASOTTI:

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I don't know whether to laugh, cry, or get mad at the response. The coalition was able to do six (6) traffic surveys: three (3) in Danford Lake and three (3) in Low. We were able to do with that with one computer, one camera, one software package, and one hundred (100) hours of work. Why can't they - why didn't they do that, because the hours of operation are so important? They were asked to do additional surveying, and they didn't do it. Why? I mean you said due diligence. Where's the due diligence here? Thank you.

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THE CHAIRWOMAN:

(Translation) Could we have the information from your study?

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MR. ED MASOTTI:

You will have it in the presentation that we'll be making on June 12th. I can ask the coalition whether we want to pass that information to you. We've also done an examination of all the accidents, and we'll put that in our brief. And it's quite different from what LDC said. So, we'll put that in the brief.

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MR. PATRICK GAGNON:

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(Translation) Mme. Chair, could it be possible for the documents to be tabled, because they refer to those documents? It would be important for us to have a look at them and for other people also, because I answered the questions, but when people refer to documents, we have to table our documents, I think they should table theirs.

THE CHAIRWOMAN:

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(Translation) Is your document prepared or...

MR. ED MASOTTI:

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It's under direct, under consideration.

THE COMMISSIONER:

1805 (Translation) But the data on traffic, is that available? You've done the measurements.
So, you could table that.

MR. ED MASOTTI:

1810 I will ask the coalition whether we want to table it. It is from the Ministry of Transport. It's
raw data that we got on all accidents on the 105 from Wakefield all the way up to Kazabazua and
then down to the dump. We've summarized it. I will ask the coalition whether we want to table
that.

1815 That is our intellectual property. They should have done that themselves. They were
asked on March 6th, 2006, to provide accident information, and they've - they responded on
October. Where is it? And now they come forward with accident information, while we're in the
BAPE hearings? It should have been in their document or in their response. So, why should I
share my intellectual property with them, when they haven't done their job?

1820 THE CHAIRWOMAN:

1825 (Translation) If you could rethink your approach, if you could give the raw information
without your analysis, but what you have observed relating to the number of trucks, that would
help the commission, too, for its work, and to get more information from the Ministry, from the
promoter, because we have to work in cooperation, because after the second part, we will only
have seven (7) weeks to produce a report. And so, we would appreciate a lot if you could do that,
table the raw data without your analysis.

MR. ED MASOTTI:

1830 The raw data I have no problem with tabling. I would even recommend for the coalition to
table the analysis to you sooner than later.

THE CHAIRWOMAN:

1835 (Translation) Well, we're not asking for your analysis, but at least the raw data, thank you.

MR. ED MASOTTI:

1840 Well, the summary of the data, if we do table it though, does it become public knowledge,
and does LDC get it? You know, as I said, it's my intellectual or the coalition's intellectual
property.

1845 THE CHAIRWOMAN:

(Translation) Everything that is tabled before the Bureau or the commission we open with open books. So, everything is available to everybody. And the Ministry of Transport will be able to react. All the Ministries will be able to provide their answers, but that's how we will improve the information and the knowledge, thank you.

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MR. ED MASOTTI:

Thank you very much.

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THE CHAIRWOMAN:

(Translation) Mr. Bob Wilson.

1860 MR. BOB WILSON:

Thank you, Mme. Chair, Mr. Commissioner; the section I'm going to ask about is the impacts on ground water quality. The environmental impact report states that:

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"The impact on ground water quality is related to risks of untreated leachate infiltration into the water table".

It also states:

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"The network comprised of nine (9) observation wells installed around the site will enable us to regularly verify the quality of ground water and to implement the environmental intervention plan in the even that the test results show a deterioration in water quality".

I would like you to imagine a scenario where a landfill such as the one proposed has been in operation for nearly thirty (30) years, where there would be nearly eight (8) million tons of compacted garbage pressing on top of the two (2) polyethylene membranes. These membranes are now leaking untreated leachate into the ground water. And then, testing of the ground water has determined that the ground water is polluted.

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1880 My question is: What are the details of the proposed environmental intervention plan that would reverse or correct the problem of polluted ground water, particularly when there is already an eight (8) million ton mountain of garbage on the site? What are the details of the intervention plan?

1885 THE CHAIRWOMAN:

(Translation) Mr. Rouleau.

MR. DENIS ROULEAU:

1890 (Translation) I give the floor to Mr. Gagnon.

MR. PATRICK GAGNON:

1895 (Translation) The first thing, Mme. Chair, is that as the gentleman mentioned, the network of wells, observation wells, the water will be analyzed three (3) times a year: in the spring, in the summer, and in the fall. That allows us every four (4) months, more or less, to follow the evolution of the quality of the water. And there is one well that is upstream, and the others are downstream, so, to cover the whole of the site. That's the first point.

1900 But I come to another point. As I explained, I believe, the first evening about the waterproofing system, we have secondary drainage or leakage detection. So, that first layer under the first membrane, the first role is to collect the water that could have gone through the first membrane and to bring that water to a location where it can be pumped out, as we do on top of the site.

1905 So, once you start observing volumes of water at that layer that would be superior to or higher than or that would be important, then, obviously, immediately, we would wonder what is happening. And so, right there and then, we could start more in-depth research to try and find where there is a leak, and it could be repaired.

1910 THE CHAIRWOMAN:

(Translation) But, concretely speaking, how can you find the spot where there is a leak?

1915 MR. PATRICK GAGNON:

1920 (Translation) Well, at the building process, there is a quality insurance program that is being implemented in order to identify for each level of protection for the two (2) membranes, whether they have any defects, holes, or whatever, and that program is very strict. And obviously, if there is a problem there, it is repaired immediately. So, it's during the building that is being done.

1925 Then, after that, after both of the membranes are installed, as I mentioned earlier, it is possible to detect any leaks, and that allows for repairs to be made, because what happens is very often at that time in particular that defects might be discovered in the membranes. When we

implement the draining layer, it's at that time that it is important to detect if there is any leak or not.

1930 So, once that is being done and there is a quality insurance program, you can be very confident that if there are still defects in the membranes that have not been detected, it would be in a very limited number and very limited dimension. It is very important to mention that. And then, later on, you have the detection layer that will tell us what is happening at the first level of protection at the first membrane.

1935 And I should mention also that, under the layer of detection, you have the second system of waterproofing composed of two (2) components, the secondary membrane that is laid on a geo synthetic play liner and that product, one of its properties is that when it is in contact with water, it swells by several times its volume. And since there's material on top, it is not - it does not get lost in the milieu, but one of the properties - and it has been demonstrated for many years that it will plug the hole, the leak, in the membrane that is just on top of that and through which water would try to get in. So, that is an important protection, another protection.

1940 And as I mentioned, if, for any reason, and I have mentioned it the first evening, we expect that there might be some leaks with a limited volume of water that would reach the underground water, then it would be the network of - by surveillance that would be the alarm bell. And if there was a problem that we would discover - now, it won't happen like suddenly; it won't be in a rush - so, then we'll have time to implement a plan.

1945 And if it was impossible to repair the waterproofing system, the simplest solution usually is to starting from the observation well or to drill one (1) or two (2) other wells to pump out the water that is contaminated, which water is then treated like the other waters capped - that is taken in the cells.

1950 THE CHAIRWOMAN:

1955 (Translation) But I would like to know: What do you do if you detect a large quantity of leachate that would have leaked between the two (2) membranes? Well, how can you identify the point where the problem is from? Is there - what do you do to find where the leak is?

1960 MR. PATRICK GAGNON:

(Translation) Well, as I mentioned, generally speaking, the problem will appear very little time after the cell is filled. For reasons I mentioned, it's when the layers of material are installed that the problem may appear or when the first layer of waste is deposited.

1965 If there is some matter that perforated the membrane, a piece of metal, for instance,

1970 then you will find it immediately or very quickly in the secondary drainage layer. So, it will be rather simple, of course. The area to be investigated might be rather wide, but you can take out that first layer of waste and start another control or check-up and find out where the leak is coming from.

THE COMMISSIONER:

1975 (Translation) Well, what might be of concern to the population is that your geo membranes, after the first layer of waste, you can detect the defects and repair, but do we know the effectiveness of those membranes fifteen (15) or twenty (20) years from now? Will they not behave differently than what you say? Do we have any experience about those membranes and that may guarantee that they are safe for at least thirty (30) years?

1980 MR. PATRICK GAGNON:

(Translation) Well, there's lots of documentation on this in the U.S., in England, and in other similar countries. And investigations were carried out in situ. That is, locally, after several year, people have checked on the condition of the membranes in real situation.

1985 And what has been done for several years also is they have tests of accelerated ageing with higher temperature than what is usually in landfills with the same type of water that you find in landfills. And the combination of that research has allowed scientists, over the past few years, to conclude that, in the case of the superior, the first geo membrane, which is more in contact with
1990 higher temperatures and water from leachate, the conclusion is that that first geo membrane might last for at least one hundred and sixty (160) years. And when I say last, it is based on this reasoning.

1995 Those membranes might lose fifty percent (50%) or might become fifty percent (50%) more fragile. That is how durability is established. And so, we're talking about one hundred sixty (160) years for the first membrane, and more than six hundred(600) years for the second membrane, but I repeat that we're talking here of an increase in the fragility of the membranes, but it does not mean that it is not waterproof anymore. It keeps playing that role even then.

2000 THE COMMISSIONER:

(Translation) Thirty (30) years later, is there still leachate escaping from the waste layer, if there is no infiltration of water?

2005 MR. PATRICK GAGNON:

(Translation) Well, here, you are talking about the final recovery. When the whole site is filled and that the top cover has been set up, there will be much less water, rainwater, of

2010 course, that will infiltrate. Generally speaking, we talk about - or in Quebec or in the region of this project, we have nine hundred (900) millimetres of rainfall each year.

2015 And with a final cover as prescribed by the regulation, there would be a waterproof membrane, because there's two (2) possibilities with the new regulation. And in this project, we - the solution is a membrane, and we're talking about an infiltration that would be of about two (2) to three percent (3%) of the total yearly rainfall.

2020 So, if you calculate that, it's about - it's not even twenty (20) millimetres, not even an inch, of water that could infiltrate through that layer, and which, in the end, will end up at the base, and it will be captured and treated. I'm not saying that there won't be any at all, but the volumes would be quite, quite low. That is quite sure.

THE COMMISSIONER:

2025 (Translation) But the post-treatment is required thirty (30) years after closing. So, ten (10), fifteen (15), twenty (20) years, there is still some infiltration, still some --

MR. PATRICK GAGNON:

2030 (Translation) Yes, there is still some infiltration of water, but do not forget that the mass of waste acts as a kind of bio-reactor. And so, within that mass of material, there is a kind of biomass that is created and that leads to degradation of the organic matter. And that biomass needs water to live to be effective. And so, the little water that will come into the residual matter will be partly consumed by that biomass.

2035 And so in the end, you well end up with - I mean, I can't say there won't be any at all at the bottom of the landfill site, but the volume will be quite low.

THE COMMISSIONER:

2040 (Translation) Thank you.

THE CHAIRWOMAN:

2045 (Translation) So, perhaps to summarize, if there was a problem with underground water during the setting up of the operation or after, there's two (2) options. Either you try to find the source of the leak or you use the wells, the observation wells, and you can pump out the water or you create more wells in order to pump out the water before the water gets spread out underground, right, to avoid contamination of the ground water?

2050 MR. PATRICK GAGNON:

(Translation) Yes, that's an excellent summary, Mme. Chair.

2055 THE CHAIRWOMAN:

(Translation) Now, what about the Ministry of Sustainable Development? Do you have any experience with that kind of issue that might be useful? Have you had to ask for water to be pumped out, for instance, or to look for leaks?

2060 MR. JEAN MBARAGA:

(Translation) What the promoter has just explained is exactly the information that is contained in the regulation. This is the way those sites are built, and it is in the regulation.

2065 If there's one thing that I can add, it's what I said yesterday when I was asked the question about the responsibility of the management fund and for how long is the promoter responsible for pollution, if there is pollution. I said yesterday that the management fund has to last for thirty (30) years, but even after thirty (30) years, if there is still a source of contamination, the promoter remains responsible. And so, he is still obliged to check on the site and to pay for any treatment
2070 that would be required.

So, there will be always, always be some surveillance. Even after thirty (30) years, if the Ministry, after doing some tests, sees that the site is a source of pollution, it is still the promoter that is responsible.

2075 THE COMMISSIONER:

(Translation) Yes, but the question is: Have you had any cases where leaks have been detected in the membrane, and there was infiltration of water in the underground water?

2080 MR. JEAN MBARAGA:

(Translation) Well, as the system is built, there is always leachate that will be pumped out, but to link that to a breakage of the system or to a defect of the system, no, we can't say that,
2085 because there's not enough experience. We do not have any experience of leaks that led to lots of leachate and lots of infiltration of such water that could be linked to a problem with the membrane, especially when there's two (2) membranes.

2090 THE COMMISSIONER:

(Translation) You say that the promoter is liable for at least thirty (30) years and even after the thirty (30) year period, after the closing of the site. When does that liability end? Will

2095 there still be a trust fund to manage any problem that may appear, and when would the fund -
what do you do with the fund after thirty (30), forty-five (45) years? Is it - is the money returned to
the promoter?

MR. JEAN MBARAGA:

2100 (Translation) I understand your question. The fund is for thirty (30) years and not further,
but after that there's no fund that will have been accumulated, but the promoter then will have to
use its own money to repair any damage, if there is any damage. So, he still is responsible for
any potential damage.

THE COMMISSIONER:

2105 (Translation) Now, that owner will still exist? Would the promoter still exist thirty-five (35)
years after closing the site? Who would become responsible then?

MR. JEAN MBARAGA:

2110 (Translation) Well, I don't know. Well, he's rather young.

THE COMMISSIONER:

2115 (Translation) No, I'm talking about the corporation, the company.

MR. JEAN MBARAGA:

2120 (Translation) Well, as long - the company obviously remains responsible after the death of
the owner, but I can't say that it will be the same promoter that will be there. I don't know.

MR. BOB WILSON:

2125 I think the question was asked to indicate that there are significant environmental risks with
the concept that's proposed. I recognize that there's new regulations that have been put in place in
2006 on which this proposal is based on, but the whole concept of using a membrane to shield the
ground water from a large mountain of garbage that will be there for hundreds of years, well
beyond a thirty (30) year operation and thirty (30) year post-closure, the untreated leachate which
we identified the other day has all the chemicals in it that cause cancer, birth defects, cause
2130 genetic damage, they will continue to go into the ground water for centuries.

And so, when I asked about how the ground water, once it's detected - when you look at
the scenario of this landfill and near its closure of the first thirty (30) years, there's eight (8) million
tons. It's almost seventy (70) acres of membrane, and it has been compacted with

2135 bulldozers and trucks on it, and it's now leaking, how do you actually realistically avoid the ongoing perpetual pollution of the ground water?

2140 The U.S. EPA, when you look at the research, they say that, even in double liner systems, once ground water detection - pollution is detected, it's virtually impossible to reverse it and control it. So, I really...

THE CHAIRWOMAN:

2145 (Translation) We still have two (2) persons who would like to ask questions, but you'll be able to come back to this matter. I don't know if you want to come back tomorrow morning.

MR. BOB WILSON:

2150 That's adequate, thank you very much.

THE CHAIRWOMAN:

(Translation) Mrs. Mary Masotti.

2155 MS. MARY MASOTTI:

2160 Mme. Chair, Mr. Commissioner, Mary Masotti from Nia Lake, this question is for the Ministry of Transport Quebec. I'm concerned about the physical structure from the pavement and the full base underneath the pavement on the Highway 105 and 301 that leads to the dump. It's impossible to drive more than thirty (30) feet on this corridor without hitting a patch of rut in the road or deterioration along the side of the asphalt.

The MTQ transportation safety policy 2001 to 2005, road components, states that:

2165 *"Infrastructure is a contributing factor in a third of accidents in rural areas and urban areas. Two (2) factors cause this: the design of the road and the interaction of the motorist and the infrastructure".*

In relation to road surfaces, it states that:

2170 *"Poor surface grip and the poor condition of the roadbed aggravate the risk of accidents by reducing the quality of contact between tires and the road, which reduces a motorist's ability to properly manoeuvre the vehicle in an emergency".*

2175 My question is in two (2) parts. How would you assess this traffic corridor mentioned above, that is, Highway 105 and 301, to the dump on these two (2) factors, the design of the

road and the quality of the surface grip? How would you evaluate?

MR. JACQUES HENRY:

2180

(Translation) To answer these two (2) items, if I understand the question, there's the design of the road, geometric aspect, and then the other issue is the quality of the paving.

2185

Now, about the design of the road, we know that there is - there are some deficiencies in some areas, and that is why, at the Ministry, various steps have been taken in the past with big investments, and other steps are planned for. There will be some this year, and some will be taken later on.

2190

We believe that the increase in the number of heavy trucks is negligible on that part of the road, but we know that some steps have to be taken at the Farrelton area, for instance, sector, that will be rebuilt, and there will be a diversion. Route 5 also, there's a portion of two point five (2.5) kilometres that will be - the work will start this year, and that is to divert from the Pine curb that people know.

2195

So, various steps are planned for and will be implemented to improve the 105 corridor, which is an important corridor for the Ministry. It's part of the network for external commerce or external trade. So, I just want to mention that, this corridor, there's a follow-up on this corridor regularly. Each year, we look at the accidents, where there are concentrations of accidents, and where there are large numbers of accidents. Then, there are corrections that are brought in. I don't know if that answers your question about the design of the road.

2200

Now, about the quality of the pavement, the adherence, there is inspections that are being done. And when steps have to be taken, they are planned for. I have to say that this is based on the funds allocated to the department. There are important needs there. It's not only for the 105, but for other major roads, but 105 is one major corridor.

2205

As to the quality of the paving, the 105, according to our values, the 105 has a good paving. It's a good quality, although the part south of Wakefield is deficient. And this year, once again, there's a whole portion that will be repaved and from the end of Highway 5 until the IGA Valu-Mart. There will be another portion to be worked on to Wakefield. We know that it is very deficient. Other portions will be repaired around Kaz also.

2210

So, 105, just to say that 105 is an important corridor for the department, for the Ministry. It's a north/south corridor that is heavily used, and there's lots of investments being made to improve the quality of that road.

2215

MS. MARY MASOTTI:

I drive the 105 several times a week, as a retired seasonal cottage owner. I go there

2220 twelve (12) months a year. The road is resurfaced quite often, and, within less than half a year, it's deteriorated again. I appreciate your efforts, but it's not working. May I ask the second part of my question? The report --

THE CHAIRWOMAN:

2225 (Translation) You won't be here tonight?

MS. MARY MASOTTI:

2230 No, no.

THE CHAIRWOMAN:

2235 (Translation) Go ahead then.

MS. MARY MASOTTI:

2240 This report I referred to made recommendations to reduce accidents by fifteen percent (15%) by 2005. The Ministry of Transport did implement some of the improvements to this corridor that we speak about. My question is: As a result of the improvements, have accidents gone down by the projected fifteen percent (15%), or have they stayed constant, or have they gone up?

MR. JACQUES HENRY:

2245 (Translation) I just want to make sure that I understood your question. You're referring to a report 2001/2005, a policy 2001/2005? Is that what you're - well, I do not have the figures here. I can jot it down and send you an answer. So, they're referring to the policy 2001/2005, the policy that had been issued by the government. So, you're talking about the drop in accidents. Are you quoting the overall province? Just one corridor or one given region? What are you referring to?

2250 THE CHAIRWOMAN:

(Translation) So, what zone would you like us to look into?

2255 MS. MARY MASOTTI:

This particular corridor that I'm speaking of, the 105, the 301, and the report recommended some repairs to be done in order to reduce the accidents, and the goal was to reduce them by fifteen percent (15%). And I'm wondering if the repairs that were done has

2260 accomplished this, or have they remained constant, or have they gone down? And in a supplement to that, are all accidents reported and recorded with you that happen on that - on any highway?

THE CHAIRWOMAN:

2265 (Translation) Do you understand the question, sir?

MR. JACQUES HENRY:

2270 (Translation) Yes, we'll take this question under advisement. And we'll take it for 2001 to 2005, and we'll see the number of accidents, if they have reduced following the repairs that have been done in the 105. And it's at the end of Highway 5 all the way to the landfill site to be established in Danford Lake. So, we will provide you with an answer.

2275 THE CHAIRWOMAN:

(Translation) Thank you, thank you very much; we have one other person that cannot attend this evening's session, Mrs. Ann Cheng.

2280 MS. ANN CHENG:

(Translation) Good afternoon, my name is Ann Cheng. I bought land, two hundred (200) acres, in Danford Lake, and I will start camping operation. So, for me, it's very, very important, and I never heard that there would be a so-called mega dump that would be set up there a few
2285 kilometres away from my property.

So, I spoke to someone on the watchdog committee. Is that what you call it, the watchdog committee, la comité de vigilance? And if I understood correctly, the Ministry of the Environment will give a report back to the watchdog committee. So, the Ministry of the
2290 Environment will answer to the watchdog committee. Is that correct?

THE CHAIRWOMAN:

(Translation) The Ministry of Environment.
2295

MR. JEAN MBARAGA:

(Translation) I didn't understand you correctly. I didn't understand your question.

2300 MS. ANN CHENG:

(Translation) I apologize. I must be speaking much too fast. Well, will the Ministry of the Environment put in place measures based on or stemming from the watchdog committee's information? Is that true? Is that the situation?

2305

MR. JEAN MBARAGA:

(Translation) No, not really, no, the information from the proponent, as far as monitoring reports are concerned, they will be sent to the vigilance or watchdog committee, yes, and those results carried - or the control put in place by the Ministry itself, the watchdog committee will have access to those results.

2310

MS. ANN CHENG:

(Translation) Okay, but the problem that I've discovered, when speaking to one of the members of the watchdog committee or the vigilance committee, is that I was told that we had to be neutral to be able to sit on this committee, and this man told me that he was a friend of the proponent, Mr. Denis Rouleau.

2315

And I also discovered that he did not have the qualifications. He didn't even know what were the terms of reference of the watchdog committee. He simply said that it was a good project. Mr. Denis Rouleau is an engineer, and he's qualified, because he's an engineer, but my father is an engineer, and I would not trust my father to carry out such a major landfill site development in my yard, in my backyard.

2320

2325

So, I'm wondering: How can we be sure that this watchdog committee is qualified, has qualified members, and how do we know that they will be looking for the right things, and that it's not made up of people who are favourable to Mr. Rouleau's project? How do we know that?

2330 THE CHAIRWOMAN:

(Translation) The Ministry of Sustainable Development, Environment, and Parks.

MR. JEAN MBARAGA:

2335

(Translation) Thank you very much, Mme. Chair; I would say to Mme. Citizen that the person that she spoke to, the vigilance committee that is set up - is not set up yet. It's only going to be set up by order or by a decree from the Ministry. For the time being, there is no such thing as a watchdog committee. And the person that gave you the impression that he's sitting on a watchdog committee is not sitting on the watchdog committee for the Ministry.

2340

THE CHAIRWOMAN:

(Translation) So, you will not be here this evening?

2345

MS. ANN CHENG:

(Translation) No, but I have something else.

2350

THE CHAIRWOMAN:

(Translation) Well, rest assured that there is a section of the legislation that deals with this, and we mentioned it yesterday. And the clock is ticking, as we say.

2355

MR. JEAN MBARAGA:

(Translation) It's Section 72.

THE CHAIRWOMAN:

2360

(Translation) Yes, Section 72 in the legislation, and we will post it on our web site or on the site of the BAPE. And there have been some discussion as to that yesterday, the vigilance committee. It's very important that the people in Danford Lake and in that area have their word and be heard, be able to speak and be heard, but it's important that a committee be struck in which people will be able to trust the membership.

2365

So, that is the type of discussion that we had yesterday. So, we will provide you with some information. If need be, come back to the second part of the hearing of the BAPE, review the Section 72 as to the mechanism or for striking that vigilance committee.

2370

MS. ANN CHENG:

(Translation) Yes, I understand, Mme. Chair, yes, and I will read that section on your site, everything that is available regarding this. Now, I would also like to know: Mr. Denis Rouleau, how many other landfill sites have you implemented and have been a success in the past? Can I have the name of these sites, and could I have their location as well?

2375

MR. DENIS ROULEAU:

(Translation) In my work, I operated a site that belongs to the City of Ottawa, and that was under L. W. Thompson. I was in charge of the environment division, and also in charge of the landfill site and the landfill activities.

2380

And I worked for more than twenty (20) years in civil engineering works, and also

2385 involved in the construction of these sites, especially in Ontario, in the eastern part of the Province of Ontario. And most of my work has been carried out at the Trail Road, City of Ottawa, and which is of the same size that is being proposed for this site.

2390 I've also worked at the Carp site that belonged to Waste Management that's also based in Ottawa. And the work there was much lower scale, smaller scale. And I also worked for a number of other sites.

MS. ANN CHENG:

2395 (Translation) Were you fully in charge of all of these sites?

MR. DENIS ROULEAU:

2400 (Translation) In Ottawa, Springhill, it's a site that belongs to the City of Ottawa that I operated. Yes, I was in charge of that site.

MS. ANN CHENG:

2405 (Translation) And this is the role that you would like to play at Danford.

MR. DENIS ROULEAU:

(Translation) Yes, to be in charge of the landfill site.

2410 MS. ANN CHENG:

(Translation) And, yes --

THE CHAIRWOMAN:

2415 (Translation) You have to address your questions to me, please.

MS. ANN CHENG:

2420 (Translation) Oh, sorry, I apologize. Okay, I would also like to know when we hire someone for a given position, we'd like to know if this person is going to be able to carry out the duties, and if they are well qualified, and if they are going to be successful.

THE CHAIRWOMAN:

2425 (Translation) Fine, so, how was the environmental situation of those land sites?

MR. DENIS ROULEAU:

2430 (Translation) I never had any problems with any of the landfill sites where I worked, and the operation is not done by one single person, one person alone. It's done with a team, of course. So, we have to put in place a competent, fully qualified team.

MS. ANN CHENG:

2435 (Translation) So, I'd just like to have the address, the telephone numbers of these various sites, of your past experience, Mr. Rouleau.

THE CHAIRWOMAN:

2440 (Translation) Yes, well, you will be able to speak to Mr. Rouleau.

MS. ANN CHENG:

2445 (Translation) Well, could it be made available for everyone? The whole community would like to know.

THE CHAIRWOMAN:

2450 (Translation) Well, that is coordinate information about the person. So, this cannot be posted on our web site. If he wants to give you references as to the people that he has worked with in the past, this is something that you can discuss with him, Mr. Rouleau, after the hearing, but we cannot put people's names and phone numbers on our web site. That is private information.

2455

MS. ANN CHENG:

(Translation) But, you know, this is important for us, for the Danford Lake Community. It's very important that if this person that says he or she is going to do something, we want it to be a success. We don't want to take any chances or risk anything. So, we really want to be sure that the person is qualified, and I think it involves the whole community of Danford Lake. We really want to know that this person has the skills and the competence to do so.

2460

THE CHAIRWOMAN:

2465

(Translation) Okay, we'll ask Mr. Rouleau if you can provide some background information. And how you can go about it, can you provide some reports, maybe efficiency reports, management reports, that have been made public for other landfill sites? So, look into this and see what you can do and get back to us later on.

2470

MR. DENIS ROULEAU:

(Translation) Thank you very much.

2475 MS. ANN CHENG:

(Translation) That's all for me.

THE CHAIRWOMAN:

2480

(Translation) One person has asked to go before us very quickly, quick, quick, quick, apparently, three (3) minutes. We're going to give you three (3) minutes, not more, Mr. Demers.

MR. DEMERS:

2485

(Translation) I did point out to the secretariat that I was not able to attend this evening.

THE CHAIRWOMAN:

2490

(Translation) But you can come back.

MR. DEMERS:

2495

(Translation) No, I cannot come back this evening. I am on my bike. I live in Hull. So, I was wondering with the new terminology, with a technical landfill site - I apologize if I haven't followed this file, because I am dealing with the density issue in Hull and --

THE CHAIRWOMAN:

2500

(Translation) Well, let's go to the crux of the matter here.

MR. DEMERS:

2505

(Translation) Yes, well, you're talking about the lifespan management, be it here at the BAPE or at the Ministry, the owners of landfill sites. You talk about the life cycle of these sites. So, if our governments are not able to force our manufacturers to cut back on the use of plastic and packaging and all the rest of it, I think our landfill sites are not going to be called technical landfill sites.

2510

THE CHAIRWOMAN:

(Translation) Okay, that's an opinion.

MR. DEMERS:

2515

(Translation) Well, okay, what I'm trying to say here is you should call a temporary warehousing site. You said thirty (30) years. No one can give us guarantees, a guarantee, that it's going to be thirty (30) years. So, I think we should call it a temporary warehousing site, and we should talk about ten (10), fifteen (15) years, and we're going to be so stimulated to the fact that it's going to be so temporary.

2520

And it's not going to be all that far with all the pollution that has taken place, and all the development that has taken place. Danford Lake is now going to be in our backyard, you know. It's going to be a suburb of Gatineau, and we'll be able to have to recover all of this waste. You're talking about dry bulk, wet waste, dry waste, and temporary landfill sites.

2525

THE CHAIRWOMAN:

(Translation) Now, listen, Mr. Demers, you're presenting a brief. That's not a question. Okay, as of June 12th, we'll hear your opinions in briefs. Now, do you have a specific question?

2530

MR. DEMERS:

(Translation) It's the vocabulary that I'm referring to, the terminology.

2535

THE CHAIRWOMAN:

(Translation) Yes, the vocabulary of the Ministry of the Environment, Sustainable Development, and Parks.

2540

MR. JEAN MBARAGA:

(Translation) Well, it's not the Ministry of Development that manufactures the packaging, but these technical landfill sites will be maybe an operation site of material that we'll be able to recover down the road. Who knows?

2545

THE CHAIRWOMAN:

(Translation) Okay, so, now, we're going to take a break.

2550

MR. ANDRE POULIN:

(Translation) So, I understand the aquifer potential is going to be referred to this evening.

2555 THE CHAIRWOMAN:

(Translation) Are there any questions with regards to the aquifer potential, any questions regarding that, the aquifer potential? Do we have any questions with regards to that? So, it will go to this evening. It will go to later on. Well, we just wanted to know if you will have questions with - on that topic this evening. You're going to write them down. Okay, fine, they will be sent to you in writing. You'll receive them in writing, thank you very much. See you later.

2565

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.

2570

AND I HAVE SIGNED:

2575

ANNAGRET RINALDI,
Official Court Reporter.