

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

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

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

SECOND PHASE

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MS. CLAUDETTE JOURNAULT,
THE CHAIRWOMAN:

5 (Translation) So, good afternoon, everyone. So, welcome to the second session for our public hearings of the second part regarding a landfill site in Danford Lake in the Alleyn-and-Cawood region. So, this second part is devoted to receiving the opinions of the citizens of the municipalities.

10 What we try to do is to receive the people who have registered with the coordinator at the secretariat of the commission. And if time permits, we will allow other people who would want to register here today. We can listen to their presentation, so, any persons, groups, or municipalities, or department.

15 And promoters have the right to rectification, and you can exercise it at the end of the meeting as long as you register. And you can exercise it in writing as well. You will have until next Wednesday to send to the commission the information to rectify certain facts. It's not time to discuss an opinion or to give information to the commission. It's just to give information to the commission, so that they will be exact in their data collection. So, if you have rectification on
20 certain facts, you can also bring or send us the information, and you will have until next Friday night to do it.

So, I think the basic information has been passed on. So, we will be listening to the first person, Mrs. Jennifer Heeney and Lenard Heeney as well.

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MS. JENNIFER HEENEY:

So, Mrs. Chair and Mr. Labrie, my name is Jennifer Heeney. I live in Kazabazua. I am here today speaking on behalf of my father, Lenard Heeney, as well as myself, whom also live in
30 Kazabazua. We are land owners in the municipality of Alleyn-and-Cawood. Our property is five thousand one hundred and forty-eight (5, 148) feet or less than one kilometre from the proposed TLS.

My father was born and raised in Danford Lake. He's retired, but he was a professional
35 logger for fifty-three (53) years. He and his older brother worked alongside the Picanoc River, where they knew it as the Jack Pines. Today, it is where everyone knows it to be the area for the proposed TLS. At that time, they had a logging camp and stayed there during quite a few winters.

We would like to speak about the creeks and lakes that are close to the TLS, for instance,
40 Johnsons Lake which is roughly a thousand (1, 000) feet or less than a quarter of a

mile from the proposed TLS, or Lake With Pike which is five hundred (500) feet north of Johnsons Lake. All of these lakes are spring-fed.

45 Johnsons Creek that runs out of Johnsons Lake runs from the south end of the TLS. This passes behind a family's home across the 301 through Miljour estate and eventually to Kazabazua Creek, to Gatineau and Ottawa Rivers. Where the proposed TLS sits, this area is full or plentiful of springs and creeks.

50 Is this project acceptable to this community, to us? The answer is no. I do not think we should accept anything less. Are there other ways? Yes, definitely, we begin at our own homes, recycling, composting, etc. There is also plasma gasification.

55 The negative impact to the community is staggering alone: families broken apart, friends for years not speaking to one another. We had a family reunion, and everyone was told not to speak about the TLS, for they were afraid they would be arguing and fighting. The pot-luck suppers that were well attended today are cancelled or the attendance were low. The community hall where most of our grandmothers and parents worked so hard for, a gathering place for the community, we are not welcome there anymore. Why? Because we are too political.

60 The negative ramifications to the environment and wildlife are astronomical alone. I am amazed that, today, other countries, governments are trying to be environmentally friendly: the Kyoto Report, Al Gore, an American, with the film "An Independent Truth". We are trying to work together to save what is left of our water, air, and the land where we grow our own food. And what do we have? A mega dump which does what it is.

65 Last, but not least, through research, maps, and documentation, we have obtained information concerning a lease by Hydro Quebec on the Picanoc River to build a dam. If Hydro Quebec builds a dam forty (40) feet, some power dams are built higher and larger, the water levels would flood the proposed TLS. Has the promoter taken this into consideration? Thank you.

70 THE CHAIRWOMAN:

75 (Translation) Thank your for your testimony. You talked in your presentation of the difficulty in the social peace of your municipality. If you had advice to give to the government or local governments and also the Quebec government to make it so situations that you are going through will not happen again, and that there are more consultations and more consideration of the people's opinion, what would be the recommendations you would have for them to the municipality, to the MRC, or to the Quebec government?

80 MS. JENNIFER HEENEY:

First of all, concerning the municipalities, I think that maybe they should be more open towards their taxpayers, give them a chance to ask their questions, answer their questions, take the time to do so.

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For the government, gee, you have me stumped there, the same thing. The government maybe should be more friendly, like listen more to our questions, because I'm sure that - we're grassroots people up here, and we have answers. And we have commonsense up here, and we're - we know - we're more knowledgeable here than maybe some with no respect towards the commission, that we maybe have more experience up here with our areas than those that live in - you know, that work in an office.

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THE CHAIRWOMAN:

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(Translation) You probably know that since the implementation of the policy on the residual matters management, these management plans must be established with the consultation of the population. And these management plans include also not only recycling, but everything that has to do with the equipment, the equipment used in the treatment and the sites as well.

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So, how - were you aware that the MRC must consult the population, and what would be the approaches that should be put in place, so that the people see the importance of participating in the MRC's or with the MRC's?

MS. JENNIFER HEENEY:

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I think there should be more meetings planned, consultation, something similar to what we have here today, more information given to us, someone that is willing to listen to our questions, someone who is willing to answer.

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THE CHAIRWOMAN:

(Translation) Thank you.

THE COMMISSIONER:

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(Translation) You said you are concerned with the possible implementation of a site. Is there a specific site, or is just the whole project that is not welcome?

MS. JENNIFER HEENEY:

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Well, first of all, the site, the site is so close to water. There's a couple of lakes there.

125 It's all spring-fed. At one point, there were moose there, and at one time there were footpaths where the moose used to walk. There's deer. There's bear. We hunt. We eat the meat. And there has to be another way, because we depend on that water. That is our livelihood. We survive with that.

THE COMMISSIONER:

130 (Translation) Do you live close to the Road 301 and the site that is expected to come up in Kazabazua?

MS. JENNIFER HEENEY:

135 We live two (2) miles west off of the 301, but we have several hundred acres in Alleyn-and-Cawood, and part of our property is one (1) kilometre or less away from the proposed TLS. Where the highest point of our property is, we can look down to where all the clear-cut and where the lakes are. At one time, my father said he could see the Picanoc River.

THE CHAIRWOMAN:

140 (Translation) Thank you; so, while you're coming up, I will give you a little trick, because we're working with translation. It's difficult to slow down the way we speak, because it makes us lose our concentration, but the way we can do it and not lose our concentration and allow for a good translation is to take a pause between our sentences.

145 So, I will remind you if ever you're going too quickly. I will repeat it, because it's important for the translation to be exact and to give these professional interpreters to have a chance to be satisfied with the work they're going to do for you.

150 MR. STANLEY LITHWICK:

155 Thank you so much; I am Stanley Lithwick. I'm a resident of Chelsea, Quebec. I'm not a resident of Danford Lake, and I'm here because of my concerns for the residents of Danford Lake. I used to be a lawyer in the City of Ottawa, and I'm now a business person, but I don't practise law anymore, but I was trained to think as a lawyer. I had clients that I had to deal with issues of justice and integrity. I also had clients where I dealt with democratic rights and principles, fairness, and reasonableness.

160 I'm not going to talk today about the road safety issues, because it's not my area of expertise. I'm not going to talk about whether or not the lakes and streams are going to be polluted, because I think that's a no-brainer.

I'm not going to talk about the collateral economic damage that is going to result in the

165 event that your report is in favour of this dump or that the Minister issues a permit to these people to build the dump. I'm not going to deal with that issue.

170 But the issues that I want to deal with are the issues that concern the residents of Danford Lake, because I feel that the principles of justice and integrity and democratic rights and principles and the issues of fairness and reasonableness have disappeared. They have gone by the wayside.

I'm going to try and break my presentation into three (3) parts and, hopefully, at the end, give you a recommendation.

175 Yesterday and today and tomorrow and during your hearing, you're going to be dealing with anger. You're going to be dealing with anger, because the people of Danford Lake are extremely angry. And the reason why they're angry is that they have not been able to voice their concerns about this mega dump prior to the BAPE Commission hearings.

180 Why is that? The reason for that, I think, is the process. Picture this. You're a resident of Danford Lake. You have a cottage, or that you've been living in Danford Lake for the last thirty (30) years, and you've raised your family. You've got children.

185 And, all of a sudden, you wake up one morning, and you hear from a neighbour or on the news that there is this proposal to build a mega dump two (2) kilometres away from where you live or three (3) kilometres away from where your cottage is, a place that you've had enjoyment for probably the last ten (10) or fifteen (15) years.

190 I would imagine that your first reaction would be one of shock, if you were a resident of Danford Lake or a property owner of Danford Lake, and that you would want to get answers from your municipal government, from your mayor, and you'd also want to sit down and have a consultation with them and find out what are the true facts.

195 I was brought into this process, because I'm friendly with a fellow who has land in Danford Lake. And I was just asked to go to some of their meetings, some of their municipal meetings. And as an outsider, I was repulsed by the process of the municipal government of Danford Lake and the members of council.

200 Now, rightly so, there are six (6) members of council, four (4) of whom are in favour of the proposal. The mayor himself is also in favour of the proposal, but I'm of the opinion that the mayor and council have a duty to their people, to the residents, the taxpayers of Danford Lake, to consult with them when there is an issue as huge and as large as this particular mega dump, an issue that, as you've heard, is destroying the community, an issue that is going to have extreme collateral damage, an issue that is going to have noise pollution, an issue that you

205 heard last night is going to probably destroy the community.

210 None of this was done by the mayor or its council. The mayor, at these meetings, it was really, really interesting to sit back and watch, but it was as though everything was choreographed. The mayor and the councillors knew exactly what they wanted to say. They would take an issue and then move onto the next and move onto the next.

215 And, meanwhile, the people that were in the auditorium, in the room, a room such as this, a little bit smaller than this, were yelling, screaming at the mayor, screaming at the councillors: Is it possible for us to vote on this? Is it possible for us to have a say on this? Is it possible - there was no discussion as to whether or not they could even consult or discuss the issue.

220 The mayor and four (4) out of the six (6) councillors had made up their mind that they wanted this particular dump proposal to go ahead in Danford Lake. And, to me, it was a sham. It was a farce.

225 I think, as the President of the BAPE Commission and as the Commissioner of the BAPE Commission, you have to put yourself into the shoes of the people that are the residents of Danford Lake. You have to, first of all, ask your question whether or not the principles of democracy have been fulfilled. Did they have the right to vote in favour or not in favour of this particular dump? And that is - that has not happened. That was not allowed to happen.

230 So, from my perspective, I'm saying to you that democracy has failed the residents of Danford Lake. There was no consultation. There was no discussion of alternative source of waste management. It was just thrown at the residents, and they had to eat it.

235 There was a promise at a second meeting that there would be a referendum, but, for some reason, this referendum never occurred. And I, as a spectator, am still trying to find out what were the legal ramifications or what were the legal manoeuvrings that prevented this referendum from taking place.

So, my first shot at this is that the process stank, stinks, and it was wrong. It was unfair, and it was unreasonable.

240 The second issue that I want to deal with is property rights. As I asked you before, put yourself in the shoes of a resident of Danford Lake. Put yourself in the shoes of Ms. Heeney and Lenard Heeney, the people who just appeared before you, Mr. Peck over here who has been a resident of Danford Lake most of his life. There were people here from last night that were residents of Danford Lake.

245 As a result of this proposed mega dump, I believe that their property values, the property

that they own, whether they're a resident in the village or whether or not they're a resident along the lake, that those values will decrease significantly. It's speculation as to how much they'll decrease, but they will decrease. You know it. I know it. They know it.

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The proponent knows it, but the proponent has not made any effort to put aside a pool of money to take care of any of this decrease in property. He's of the opinion or they are of the opinion that if we get the dump, tough luck, and I think that's wrong.

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So, here, you have a community. Here, you have land owners that bought their land, developed their land, used their land, and enjoyed their land peacefully prior to any news of this mega dump. Then, along comes this issue of the mega dump, and what is the result of that? If the dump goes ahead, I think dreams are destroyed. I think the idea of living in the country is destroyed. I think the idea of going to your cottage on the weekend is destroyed.

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Why? Because you're going to be fighting traffic to the dump. You're going to have to be dealing with the smell of the dump. You're going to have to be dealing with traffic issues of the dump, as to whether or not it's safe to go up or not safe to go up.

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You're going to invite friends up to your cottage, and your friends are going to say, oh, no, no, I don't want to go up there, because it stinks. You heard from a gentleman last night at Lachute, who told you that the smell from Lachute eight (8) kilometres away stinks. We're talking about Danford Lake, which is three (3) kilometres away from the dump, and it's going to stink.

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The Charter of Rights of Quebec: The province that we live in, your province and my province, has a charter, the Quebec Charter of Human Rights and Freedoms, Article 6:

"Everyone has the right to peaceful enjoyment of property".

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I think there has been a violation of that charter.

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And I think that you, as the head of the BAPE, the President of the BAPE and the Commissioner of the BAPE, should look into as to whether or not there is a violation of this Quebec Charter of Human Rights and Freedoms. Article 6 is the one that you would want to take a look at, because I believe that if this particular dump goes ahead, there'll be - these people will not be able to peacefully enjoy their property, that they have a right to under this statute.

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My third argument, and you might consider this one a hairy-fairy argument, way-up-in-the-sky argument. I don't believe it is.

My wife is Quebec. My wife is - her family is originally from Quebec City. She is residing

290 in Montreal. She's a professor at University of Montreal. She left me in Ottawa ten (10) years, fifteen (15) years after our marriage, because she was losing her language. She was losing her culture. I am now a Quebecer. I live in Chelsea, and I see my wife two (2) or three (3) times, four (4) times a month.

295 What I'm trying to get at is: What is it like to be a Quebecer? What does or what do the people of Quebec want for their province? What is it that we are trying to do as a society in Quebec to better our society? What type of community do we want? What kind of communities do we want to establish? Are we in the business of destroying communities for what? A greater good? And what is that greater good? Two hundred and fifty thousand (250, 000) metric tons of waste?

300 I think that you as a Quebecer, me as a Quebecer, we want something that's different for the community of Danford Lake. We want a sense of fairness. We want a sense of reasonableness. We want our government to be - to have integrity. We want Danford Lake's mayor and council to listen to its people.

305 My recommendation: As Quebecers, we should be more fair. We should be more reasonable. We should be more inclusive. We're smart people. The City of Gatineau yesterday told you they're not in favour of the dump. La Pêche was here last night. They told you they're not in favour of the dump. Low, Quebec is not in favour of the dump. Danford Lake is not in favour of the dump.

310 It was such a foolish, foolish decision as to how they chose the dump. When you ask the proponent, when we asked the proponent at one of these council meetings at Danford Lake how they chose Danford Lake, his answer was a shame. It was a shame: Well, we took the region, and we drew a circle, and we pointed right in the centre, and that happened to be Danford Lake.

315 Well, how stupid is that? Is that consulting with the people of Danford Lake? Is that using the expertise that we have? Is that using the environmental knowledge that we have? Is that being fair to the people of Danford Lake? You know, the choice of Danford Lake is one above taking a dart and throwing it at the board and saying, yeah, that's where we should go.

320 We're smarter than that. Our government is smarter than that. We should demand better government.

325 So, you've heard these people, myself, everyone here. We're against it. La Pêche is against it. Gatineau is against it. I think you should rule against it as well, but, in the same breath, you have to be fair, and you have to be reasonable, and we have a problem.

We have a waste problem. So, let's get everyone together in a room such as this. Let's

330 call consultations. Let's get Gatineau here and La Pêche here and Danford Lake here and everybody here under one roof, and say we've got a problem. How do we deal with it?

And let's not make a decision because of expediency. Let's not make a decision because, oh, oh, the Quebec government says we have to stop these trench dumps in December, 2008. We can say cool it. The government will cool it, if we ask them to, but we have to be smart.

335 Let's consult. Let's face one another and say, as Quebecers, to one another we have a problem. Now, let's deal with this together. Let's find a solution.

340 Sorry, I just feel so sorry for these people in Danford Lake. You can't imagine the community that's going to be destroyed and the lakes. It's a shame. It's a real shame.

And the Mayor of Danford Lake, he's so irresponsible. He's totally - you, Madam and Monsieur, if you sat as a resident of Danford Lake, and you witnessed this, you would be ashamed of your mayor for not allowing you to vote in favour or not in favour of this issue, or even say to the mayor let's discuss it before you throw this down our throats.

345 We need a fair hearing. We need more time to discuss. I would propose that you make recommendations that we discuss alternative methods of waste management. Let's find out what the world is doing here. Let's use the best that we can possibly use instead of throwing it in the ground. There are other alternatives, and they should be discussed and put on the table.

350 And once it is decided that this is the way we're going to go, then you choose your sites, but the sites will not be so negative, because you'll be talking about waste management instead of a dump. The word "dump" itself is so negative. Waste management is not.

355 Five hundred (500), you know what really upsets me is that I go to a football game, and I see how large this football stadium is. And then, when I go to Danford Lake, and they say that the size of the mega dump is going to be one hundred (100) times the size of a football field, in French, *c'est fou*. It's stupid. It's utterly stupid.

360 But once the technology is decided upon, then you choose your sites. If it's gasification or plastification or whatever it might be, it's five (5) acres versus five hundred (500) acres, or it's ten (10) acres versus five hundred (500) acres. The impact will be negligible on the community. It will be just part and parcel of day-to-day living, but five hundred (500) acres of a mega dump in Danford Lake is stupid. Thank you.

365 THE CHAIRWOMAN:

(Translation) So, there are questions. We might have questions for you, sir.

370 THE COMMISSIONER:

(Translation) Well, I think you are a very good debater, very good at pleading your case. Your case is being very clearly stated, sir, and I have a question. At the assembly of the municipality in which you participated, were there - were the participants allowed to ask questions
375 of the mayor and the municipal council?

MR. STANLEY LITHWICK:

Most of the questions that were asked of the mayor, at the beginning, was the size, the
380 impact, but if memory is correct, most of the people voiced their negativity, their anger. Can we vote? Can we vote against this? Can we vote? What is it that we can do? Some person said: What is it that we can do to stop this, Mr. Mayor? And the answer was - there was no answer. Can we vote on this? Maybe.

So, it was only subsequent - it was only when - because I got up at that meeting, and I
385 was angry, because I'm used to courts or I'm used to fairness and reasonableness. I'm not used to having some person throw something down my throat and say tough. I don't like that. No one likes that. No one in this room likes this - likes that. What we want is a discussion, and he failed to discuss. He failed to let the residents, the taxpayers of Danford Lake discuss the issue.

What also repulsed me is that they were playing games in the sense that if I was an owner
390 of a piece of land in Danford Lake, and I had my home there, and if I was an owner of a cottage on Danford Lake, and I was still paying taxes, they consider the cottage owner as a secondary citizen and not of equal value to the resident. So that when they would come to the meeting, they
395 would say, well, we have ninety-five (95) residents and ten (10) are for and so many are against, but they never included any of the property owners.

And there was a failure, I think, on the municipality to give proper notice of their meetings
400 as well. And it was only as a result of word of mouth that I think the property owners and the people who really did not want this were able to go to these meetings. And they voiced their anger so much that the room howled with anger, yelling.

And, yet, here we are today at the BAPE, and the community has not been able to vote
405 on this issue. I think it's a disgrace. I think it's irresponsible government.

THE CHAIRWOMAN:

(Translation) The process of evaluation and examination of the impact on the environment
410 was put in place twenty-eight (28) years ago, because the government at the time and the governments that followed it understood the importance of having a global view, an overall view, and that there are laws and regulations, yes, but there is also the fact that the

government must take into consideration fairness and commonsense and what we now call sustainable development. That is a word that is used more and more over the past few years, but it is based on the spirit of our civilization and fairness between peoples in a society.

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And, therefore, this whole question of waste and there were several files where we saw problems that existed in the community, and the government put into place a policy on waste management. And in this policy, they instruct the regional county municipalities, the RCM's, to set up a management plan and to do it in collaboration with the citizens.

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So, how do you see the need for citizens to be consulted, when we're talking about some major equipment and major set-up there in the area? This policy and this obligation to consult is now included in the law. Do you think it should be more precisely defined in the law and more precisely imposed by the law?

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Because we realize that there are consultations held by BAPE, yes, of course, but for two (2) or three (3) years the people lived with the situation, and sometimes had the impression that they have not been consulted. And when we show up, when we arrive on the scene, there are sessions. There's a polarization for and against, and it takes sometime to reestablish the social harmony in the community. So, how do you perceive the importance of the early-on consultations?

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And I'm going to be a bit more concrete in my questions now. Concerning this particular file, yesterday we heard that the - from the Reeves' table that the Reeves' table realizes that it's important to have a long-term solution, and they're going to discuss a transitory short-term solution, but the long-term solution must eventually be arrived at, because we've been talking about it long enough in terms of the region.

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So, it seems that there's a willingness to define this long-term solution, but to avoid that it be put off indefinitely, so that there won't be any long-term solution in five (5) years, what do you think the government should do to allow people to come together and to take a more global view, more overall view of the problem in the region, and so that we can, in fact, understand and be - and that you, you the people of the area, can define your - define solutions that you would find to be more acceptable?

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Would it be maybe asking that these plans be worked on together by everyone to define the major plans for waste management? Because that's always the part that creates conflicts. What do you do ultimately with the garbage? Do you incinerate? Do you landfill? Do you do gasification or reuse bio-reactors, composting? What are the major axes, and how do you want to go about defining what it is the people want to do a few years down the road, so that, a few years down the road, we can have solutions that have been defined by the community, and that the community is ready to support on the whole?

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MR. STANLEY LITHWICK:

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I think, first of all, you have to find out who the players are. Who are the people that we're going to - let's say, for example, there is a mega dump somewhere. That's your starting point. Who are the users or who will be the users of this mega dump?

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Once you find out who the users would be of a proposed mega dump, take the issue of the mega dump away, because now you have defined who the players are. Is it the City of Gatineau? Is it La Pêche? Is it Low, Quebec? Is it Danford Lake? What is the region that we're dealing with?

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Once you've dealt with who the players are, the region, then you have to force those municipal leaders to sit down together. You have to force them, because Gatineau might say to you at this particular hearing we're not in favour of the dump, but if you and your Minister approve the mega dump, Gatineau is going to put their garbage there. The man from Low, Quebec last night said he's not in favour of the dump, but if you approve the garbage dump in Danford Lake, Low is going to dump there. La Pêche is going to dump there. Everybody is going to dump there. Danford Lake is even going to dump there.

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But what you want to avoid is a mega dump, because your technology people, your people who are knowledgeable in waste management are saying that landfill sites are history. They're old school. We can move beyond that. We can create waste management better than throwing it in the ground. You know it, and I know it, because that's the way of the future. We cannot continue to use our earth as a dumping ground. It's just not the way we should operate in the twenty-first century. We're not smart. If we do that, then we're not smart. We're stupid.

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So, once you find out who the players are, and once you force the players to speak with one another and to deal fairly and reasonably with one another, with the Internet, with scholars around the world, with instant information, surely this group of leaders will be able to present to each other sources of waste management that have been successful, whether in Sweden or in South America or in England or in Germany or whatever.

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But at least this body of people, these leaders, government leaders - and Quebec's Ministry can be part of this, too, but I think, at the municipal level, these are the people that are most affected by it. It's still a concern of the provincial government, because provincial governments deal in education and waste management, and they deal in hospitals, and, you know, they have their - they have to deal in waste management. It's part of life.

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But once you find out who the players are, and once you deal with the information of waste management, what is being used around the world, these people, in their good judgement, through discussion and consultation, will reach a smart decision. Once the decision is made as to how we get rid of waste, and that's not to say that there's only one method, maybe

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Danford Lake has to do its own dump and line its own landfill, but it'll only be for Danford Lake.

500 Maybe small little dumps plus gasification or plastification and recycling and composting, maybe all of these things put together. Our municipal leaders can formulate a plan. I don't think it has to take a long time. I don't think it has to take five (5) years. I think a year and a half out should be able to do that.

505 And then, once you decide what the method is in terms of waste management, then you choose your sites. Oh, Gatineau is such a size. We can find room in Gatineau. And they can put a gasification or a plastification plant there. It's only five (5) acres. Danford Lake can take some of the burden. La Pêche can take some of the burden. Low can take some of the burden. So, you can have satellites, where you are alleviating the transportation problem, the collateral damage problem, and each works together with a master plan.

510 And it's managed and it should be managed by government, by the municipalities en masse, all together, and not by private, because once profit gets in the way, once the element of making a buck gets in the way, things go downhill. There are costs that are cut.

515 It's the same thing with hospital care. You know it and I know it. You can't take a doctor away from a hospital. You're going to destroy three hundred (300) patients. You've got to - there are certain things that government has to do and not make a profit. There are certain things that government has to do that are necessary for us to live the way we want to live. I don't know if that answers your question, but I think I have taken up a lot of time.

520 THE COMMISSIONER:

525 (Translation) One last question, your satellite system that you're talking about, it's maybe idealistic, but maybe it's very good as well, but given the government requirements for a treatment of waste treatment, we need a critical mass. I think they're talking about thirty (30, 000) to fifty thousand (50, 000) tons of waste. And, really, our RCM's alone can't really achieve that critical mass.

530 So, you have to bring together certain urban centres that produce enough to make an elimination - waste elimination centre viable. So, I think you'd have to take that into account in what you were proposing, sir.

MR. STANLEY LITHWICK:

535 I agree with you. I agree with you. If it doesn't make sense economically, that's one of the factors that this municipal group has to consider, but when they make their decision, they also have to consider the impact on the community. They have to consider the impact on the environment. They also have to consider the impact of safety, roads, transportation. These are

all factors.

540 And I think your critical mass factor is just one of several, not that it's more important or less important. It just has to be discussed and solved, but we're smart people. We're educated people, and we should be able to solve this problem based on the present knowledge that we have around the world and not deal with it - not deal with a system of waste that is thirty (30) years old.

545

THE CHAIRWOMAN:

(Translation) Yes, sir, the government has precisely given the RCM's and the cities like Gatineau the responsibility of defining their approach to waste management in a - let's say, in a regional - with a regional view, an overall regional view.

550

In the present file, you have a proponent who is making a proposal in a regional view, with a regional view. And so, do you feel that the RCM's that are a part of the territory in the Outaouais and Gatineau and so on should be able to tell the Minister of Sustainable Development here is our vision for the treatment of waste and the management of waste?

555

Because this is a proposal that we are making for a whole territory, but the people, the managers, who are responsible for that element of management, do you think that they should have a word to say about how they see the long-term plans for waste management?

560

MR. STANLEY LITHWICK:

I think it's important that the municipal leaders in this area voice their opinion to the provincial government, and the provincial government should listen to them. The municipal leaders are closer to the people. They represent the people. If you open up the dialogue, if you open up the forum, if you allow citizens in the area that are going to be affected and the citizens in the area that are concerned about waste management to tell their leaders what they think, and then you have their leaders make those decisions, those decisions should be followed by the provincial Minister.

570

Because every region is different, just as every case in law is different. Every divorce is different. Every contract is different. Why should the waste management system in the Outaouais be similar to the one in Lachute or in Montreal or in Quebec City? You have to deal with different factors, different environments, different collateral damage, different everything.

575

So, this region should get its act together and tell the Minister this is the technology that we think that should be good for this area. These are the sites that we want to go forward with. All of the people, all of the municipal governments in this area have agreed to it. We've signed on to it. This is our plan. Let's move forward. I think it's a no-brainer for the provincial

580 government to follow that type of decision. It gets them off the hook.

The provincial government can still oversee it and manage it and help in the decision-making process along with the municipal leaders. They should. It should be - the more mature you are as a nation, the more inclusive you are in terms of gathering opinion from everybody, and then you make your decision. You can't exclude. One is not necessarily superior to the other. You have to be inclusive.

Provincial government, municipal government, citizens, they all have to agree on the process. It's going to be tough. There will be tough decisions that will have to be made, but at least the process is open and fair and reasonable.

590 THE CHAIRWOMAN:

(Translation) Thank you very much for your testimony; Mr. Ed Masotti, please.

595

MR. ED MASOTTI:

Mme. Chair, Mr. Commissioner, I want to thank you for this opportunity to express my concerns about the proposed Danford dump. My brief is on the impact the dump will have on transportation. My brief also touches on commuter and community safety on the major traffic corridor, that is, Highway 105 from Wakefield to Kazabazua and 301 through the village of Danford Lake to the dump.

In my executive summary and my report, I pose a series of questions and then go on to answer them, and I will follow the same process in this presentation.

605

Just one thing before I start, I'm not sure if anybody in the audience is fully aware of all of the terminology that might be up on the screen. For these people, CRD is construction, renovation, and demolition waste. ICI stands for industrial, commercial, and institutional waste, and RMW is resident, municipal waste.

610

This presentation is about fifteen (15) minutes, if I speak slower, and there will be plenty of time for questions.

My first question was on garbage, the garbage defined by LDC in the Outaouais and surrounding area. I estimate there is only a hundred and forty thousand (140, 000) tons of garbage from these jurisdictions, not the two hundred and fifty thousand (250, 000) tons estimated by LDC. This is based on several factors.

First, the MRC's bordering on the Outaouais will not send their waste to Danford. This includes, as we found out in the Q & A, Antoine-Labelle.

620

625 Second, the MRC Papineau will continue to use Lachute when the contract expires in 2011, as we were told by LDC in the Q & A.

Third, the market in the Outaouais is therefore limited to just the City of Gatineau, MRC Des Collines, MRC Gatineau Valley, and the MRC Pontiac.

630 Fourth, LDC has greatly overestimated the amount of garbage in this market. LDC based their estimate on these jurisdictions not meeting their 2008 targets. In other words, they based it on table 2.3 of the report and not 2.4 of the report.

635 Fifth, I believe the City of Gatineau, the MRC Des Collines, and the MRC Gatineau Valley are making good progress in meeting their 2008 targets in the RMW sector. Offsetting the above is I don't see the other two (2) sectors, CRD and ICI, meeting the 2008 recycling targets, mainly for - there's no jurisdiction over them. Therefore, I have increased the projected amounts to be put into the landfill for these two (2) sectors.

640 Putting all these factors together, I feel there is only about a hundred and forty thousand (140, 000) tons of garbage in these jurisdictions, not the two hundred and fifty thousand (250, 000) once the 2008 targets are met.

645 I've had a chance to review the responses from the MRC of Gatineau Valley and the MRC Des Collines that was put on your web site.

650 In the case of the MRC Gatineau Valley, it is estimated between fifteen (15, 000) and twenty thousand (20, 000) tons. Well, I, in the slide that you see there, estimate at twenty-nine thousand and sixty-five (29, 065) tons. So, I overestimated how much garbage there was from the MRC Gatineau Valley.

In the case of MRC Des Collines, their response confirms my estimate of thirteen thousand three hundred and forty-five (13, 345) that I put up on that screen.

655 The next question that I ask myself is: In what type of trucks is this garbage coming in?

660 LD assumed that all the garbage coming from the City of Gatineau and from the MRC Des Collines will come from their respective centres of recuperation and transshipment or CRT's, I'll refer to them in the future. That would mean that this garbage would come in large trucks averaging twenty-seven (27) tons a load. This is a wrong assumption for two (2) reasons.

The first reason is that the major ICI customers in the City of Gatineau will send their waste directly to the Danford dump instead of to the Gatineau CRT. Why? Because they can save a lot of money. I assume that they will pay only fifty dollars (\$50.00) a ton at the gate in

tipping fees, if they go to the Danford dump.

665

As well, I think LDC is likely to pursue this market, because why would they pay the City of Gatineau thirty dollars (\$30.00) a ton to ship this material, when they can get fifty dollars (\$50.00) at the gate? I mean that's an additional six hundred and forty thousand dollars (\$640,000.00) in revenue.

670

This garbage will mostly come in seven (7) ton trucks, not twenty-seven (27) ton trucks.

The second reason is that the CRD waste is currently going to the Cantley and Perkins dumps, not to Gatineau or the MRC Des Collines CRT's. This garbage will also go to the Danford dump mostly in seven (7) ton trucks not twenty-seven (27) ton trucks.

675

The impact of this is quite dramatic, if you look on the screen again. LD estimated that they would get a hundred and thirty-five thousand (135,000) tons from Gatineau and twenty-four thousand (24,000) tons from the MRC Des Collines, a hundred and fifty-nine thousand (159,000) tons in total. This means about thirty-two thousand (32,000) of this is CRD waste, as per 2.3, table 2.3 of the report.

680

This means that LDC counted this as ten (10) truck trips, mostly ten (10) truck trips out of the total forty-six (46) that you see up there. LD should have counted this as thirty (30) truck trips, mostly sent in seven (7) ton trucks, and reduced the forty-six (46) trucks to thirty-six (36) trucks. So, what? All of a sudden, now, we've got sixty-six (66) truck trips instead of forty-six (46) just in that location.

685

My final question on this topic is: What is the truck impact of all of this?

690

While the amount of garbage from these jurisdictions has been greatly reduced, the number of trucks is only somewhat reduced, and that's because of the nature of the trucks that are coming out, not the twenty-seven (27), but the seven (7), more seven (7) ton, less twenty-seven (27) ton.

695

So, where LDC said it would require a hundred and thirty-five (135) truck trips to transport two hundred and fifty thousand (250,000) tons of garbage, I have estimated it will take a hundred and five (105) truck trips to transport a hundred and forty thousand (140,000) tons of garbage.

700

So, obviously, LDC has an excess capacity of a hundred and ten (110,000) to a hundred twenty thousand (120,000) tons at its site. I have tried to understand the explanation provided by LDC in the Q & A of where the missing tonnage is coming from, and I'm still perplexed.

I think the more obvious explanation is there is a market that LDC did not identify in its

705 environmental assessment. That is the garbage currently going to the Cantley and Perkins dump. I decided to look into this further, given the fact that these two (2) dumps could close as early as 2009.

710 So, what is the impact of closing the Cantley and Perkins dumps? Does this comprise the hundred and ten thousand (110, 000) or so tons of garbage that are missing? I believe that it makes up a major part of the missing garbage.

715 How much of the garbage is currently going - how much garbage is currently going to the dump? I believe it's in the range of at least ninety-five (95, 000) to a hundred thousand (100, 000) tons a year. This includes the fifteen thousand (15, 000) tons from the City of Gatineau up there, also the seven thousand (7, 000) of CRD garbage from the MRC Des Collines. So, the new market, if you wish, is about seventy-five (75, 000) to eighty thousand (80, 000) tons of additional CRD waste that has not been counted anywhere.

720 Unfortunately, the BAPE could not release the information received from Mr. Nbaraga on the number of seven (7) ton and twenty-seven (27) ton trucks going to Cantley and Perkins dump. I understand that Mr. Nbaraga tabled this on Monday. I'm very happy that he did it, and I'm going to be really looking forward to seeing what his response was.

725 My gut feeling, however, is that it will be higher than I think. I have therefore increased the seventy-five (75, 000) to eighty thousand (80, 000) tons to ninety-five thousand (95, 000) tons in this report, and will change my estimate, if necessary, once I review Mr. Nbaraga's feedback.

730 So, how much of this garbage is coming from Ontario? I believe it's in the range of forty (40, 000) to fifty thousand (50, 000) tons a year. The slide show is a sampling of some of the trucks or a sampling of private companies from Quebec that go back and forth between Ottawa and Gatineau on a daily basis.

735 As an aside, I did a survey for three (3) hours on the two (2) bridges of all trucks going back and forth. And in the three (3) hours, there were thirty-two (32) trucks of Quebec licence plates going back and forth.

740 That's why, given that and given that these companies - this is totally legal, as we found out yesterday, as long as the amount of recyclable material is over fifty percent (50%).

745 Therefore, you know, the forty (40, 000) or fifty thousand (50, 000) tons of garbage that I'm saying is coming from Ontario is based on this premise that it's going to be fifty percent (50%) or less of garbage. And I actually feel the actual amount of garbage from Ontario can be lower or much higher, and, again, my gut feeling is it's going to be much higher. I think there's very little enforcement of how much garbage there is in these trucks.

Anecdotally, I've also talked to people, owners, who have had these boxes dropped in

their driveway, and they tell me it's maybe thirty percent (30%) recyclable.

750 Okay, my next question is: How viable is the LDC proposal without Ontario, Cantley, and Perkins garbage?

755 In my report, I have put forth a worst-case scenario for LDC and assumed they will need Ontario garbage to be profitable. In reality, the operating cost to LDC will probably be lower than I have estimated. Without any operating cost information in the environmental assessment, it's hard to estimate.

760 With this important caveat, the question is: Will LDC lose money without this market? And my answer is: I don't know. What I do think is that the market identified by LDC will probably pay for the basic costs of operation and might allow for a profit. The new market, Ontario, Cantley and Perkins, will mostly be the icing on the cake.

765 LDC does have some certain quasi-fixed costs like operational costs, the financing of the closure fund, the two dollar (\$2.00) per ton to the MRC Pontiac, the two dollar (\$2.00) fund to the municipality of Alayn-and-Cawood. All of this is in the order of about three point one (3.1) million dollars a year.

770 Will LDC have to borrow money to purchase the land to set up the initial infrastructure? Sure, but how much? How much is it worth? One dollar (\$1.00)? A million dollars? One industry insider told me twenty (20) to thirty (30) million dollars they'll have to pay. Who knows?

775 They're going to spend sixty-three (63) million dollars on their dump. How much of that is upfront? Do they have to borrow that? Do they have to borrow ten (10) million? Do they have to borrow twenty (20)? What's the cost of financing that debt? I don't know.

780 On the revenue side, I'm assuming that LDC is offering all of the public sectors, all the municipalities, in other words, the same offer it has made to the City of Gatineau: thirty dollars (\$30.00) a ton for fifteen (15) years. It can charge fifty dollars (\$50.00) a ton for ICI waste, and this will still be an attractive price to lure large customers away from the City of Gatineau. Finally, the going rate for CRD in the area seems to be around sixty-five dollars (\$65.00) a ton. All tolled, LDC could have revenues of six point three (6.3) million from the hundred and forty thousand (140,000) tons in the market that they have identified.

785 So, how many trucks will there be, additional trucks, that LDC hasn't counted, will there be due the Cantley, Perkins and Ontario garbage coming up? I estimate it's about eighty-two (82) truck trips for this garbage. It should be noted that I've factored into these totals that these trucks will be coming from the transfer stations that each of these private companies maintain.

I would like to turn now to go away from garbage and talk about the impact on traffic due

790 to recycling, auxiliary services, and day-to-day operations of the dump. LDC didn't have an estimate for any of these functions of what the truck impact would be.

795 I estimate there will be fifty-seven (57) truck trips per day. I think recycling will have a very minor impact, given what the developer is proposing for the dump site. As well, those auxiliary services identified by LDC, wood curing and the composting platform, I don't think they're going to have much of an impact, too. I think the impact comes in two (2) areas.

800 Under auxiliary services, I am concerned that - about those services that haven't been defined. LDC said it will offer any auxiliary services approved by local authorities, which, I assume, is the MRC Pontiac. Anything the MRC approves will affect the other MRC's and the City of Gatineau; for the MRC Pontiac, all gain and no pain, as they say.

805 As well, there were something in the environmental assessment called something waste water plant sludge that they were going to receive, and we found out at the Q & A that, all of a sudden, we're not going to receive this. Well, what's to say that once this dump is approved, local authorities say bring it on, bring it on. You know, they'll accept anything.

810 The other activity that will result in a fair number of trucks is in the day-to-day operations of the dump. In this case, I believe there is insufficient sand on the dump site to cover the uses identified by LDC. And I don't accept LDC's assertion that they will just get it from elsewhere on the dump site. As the first speaker said, there's water all over. You dig two (2) feet down, and you've got water. How are they going to get sand from the dump site? They'll have to bring it in.

815 As a side, and I haven't put this into my presentation, I am a little concerned though that LDC has weakened its cell structure, how they propose to develop the cells. If you look at the initial project notice document, I think it was a little more stringent in its quality than what they've got in their environmental assessment. They use a lot more sand in their environmental assessment than they did in the - than they were proposing in the project notice.

820 So, my overall conclusion, as shown on the slide, is there will be a hundred and sixty-seven (167) truck trips using Highway 105 coming up from Wakefield. LDC estimated forty-six (46). For the village of Danford Lake, there will be two hundred and thirty-one (231) truck trips, where LDC estimated a hundred and twenty-two (122).

825 What is the impact of this extra traffic on Highway 105 and from Wakefield to Kazabazua? We did - three (3) traffic surveys were done in Low, Quebec. The survey results are very typical of the winter traffic pattern that you will find in - that was used by LDC in their environmental assessment. What I did find surprising is the number of trucks I recorded was much lower than those that were estimated by LDC during my three (3) surveys. They were much lower.

830

835 These surveys allowed me to identify how much traffic is on the highway during the hours of operation. More important, I was able to identify each vehicle into one of twenty-five (25) or so designations within five (5) categories. Within that, I was able to identify all the trucks, either as small or large trucks. Given the number - given that and given the number of dump-related trucks that I expected, I was able to estimate the impact on traffic during the hours of operation of the dump.

840 As you see on the slide, the results show increases that are quite dramatic. The most significant impact is in the increase in the number of small trucks in the order of over a hundred percent (100%). An overall increase in traffic, it was around eight (8), seven (7), and six percent (6%). And in the overall increase in all trucks, it was seventy-two (72), forty-nine (49), and seventy-nine percent (79%).

845 This is on - this was at Low, Quebec, which is fairly representative of the highway once you get past Wakefield and get to Kazabazua. It's in the middle range of traffic of all those areas.

850 How will this increase affect safety on the Highway 105? During the last five (5) years, 2002 to 2006, traffic accidents have gone up considerably. This is during a time when the Ministry of Transport has implemented various changes to the highway to reduce accidents by fifteen percent (15%) by 2005. Add to this to the poor road conditions of the highway. Add the additional trucks for the dump. And one can predict that there are going to be many more accidents on this highway.

855 The last slide, just to close, I would like to look at the same situation for the village of Danford Lake. Again, the survey results that we attained were very similar or very compatible with the information that LDC used in their environmental assessment on overall traffic.

860 What I did find surprising though was the number of - I'll get to it as soon as I find it. What I did find surprising is the number of trucks I recorded was much higher than that estimated by LDC. In fact, the number of trucks that were on the highway worked out to forty-one percent (41%), forty percent (40%), and fourteen percent (14%). The fourteen percent (14%) was while the load restrictions were in place. Of all the traffic going through that community, those were the number that were trucks, and most of them were large trucks.

865 With the dump traffic, that percentage is now going to go to sixty-one (61), fifty-nine (59), and forty-six (46). Therefore, the dump-related traffic will make a bad situation even worse. I don't think the commuter safety in Danford Lake is as compromised as it is on Highway 105, but the quality of life of the residents definitely is affected.

870 To conclude, I think the traffic corridor is stretched to the limit as it is. The additional dump-related traffic impact will make the commute on Highway 105 even more dangerous than it is now. For Danford Lake, the dump will impose considerable stress on their quality of life. I ask

that you recommend that this dump not be approved, thank you.

875 THE COMMISSIONER:

(Translation) Thank you, Mr. Masotti; I would be in a position to ask you - I will be able to ask you better questions once I will have read your document, but I have a few questions.

880 I had the impression that, in the volume of residual matter that the promoter had arrived to get his figures, he had residual matters of the CRD, which is construction and development and renovation and demolition, and that the residue that went to Perkins and Cantley were included, but you are saying, no, directly in their volume, you are excluding these residual matters. You are saying that you're adding them, but they are not included in the initial figures presented by the
885 promoters. Is that it?

MR. ED MASOTTI:

No, they are reflected. They are reflected in the promoter's numbers in the hundred and
890 thirty-five (135) and I think the twenty-four (24), but it's buried as RMW and CRD waste, I think - MRW and ICI waste. So, he's saying that waste is coming from the CRT, when, in reality, it's not coming from the CRT.

It is now going - as MRC Des Collines said in their response, it's going to Cantley and
895 Perkins right now, and the same, I'm pretty sure, response will come from the City of Gatineau. They have told me that off line. I assume that they will confirm it, you know, officially.

THE COMMISSIONER:

900 (Translation) You are saying that there are residual matters that are missing to arrive to two hundred and fifty thousand (250, 000) tons a year, and you are deducting in your analysis that part of these residual matters come from Ontario or could come from Ontario.

905 But if I remember well - I don't have the figures in front of me - the promoter said that to arrive at two hundred and fifty thousand (250, 000) tons, he was taking into account the increase in populations, the volume that he would achieve after a few years. And to this, he was adding a volume of fifty thousand (50, 000) tons. It's under reserves that would come from the sludge from the pulp and paper mills and from domestic treatment residuals. And I'm forgetting some, but - and also from sawmills also.

910 So, two hundred and fifty thousand (250, 000) tons doesn't seem to be reflected in your study. Is that the case?

MR. ED MASOTTI:

915

I don't know how to answer you that question. I find LDC's explanation of how they come up to two hundred and fifty thousand (250, 000) very implausible, okay, unrealistic.

920

Personally, I think they've had this thing in the works for a long time. They were estimating on the amount of garbage that was way before a lot of these policies on recycling went on, and they've come up with an explanation to go back to the two hundred and fifty (250, 000.00).

925

It's either that explanation or they always anticipated getting the Perkins, Cantley, and Ontario garbage up here, and they buried it in the two hundred and fifty (250, 000). I don't know. I really don't know.

THE COMMISSIONER:

930

(Translation) You have been counting the numbers of vehicles for three (3) consecutive periods. You did them over three (3) days from seven o'clock (7:00) in the morning until six (6:00) at night. And you have a volume of circulation that is lower than the promoter has estimated in his studies. Why would they give a rate that is lower than the reality and less than what they've measured? What is - in your opinion, what's the reason behind it?

935

MR. ED MASOTTI:

940

First of all, in the overall traffic, we're in agreement. They used the MTQ information. Some of the surveys, I'd like to correct you, three (3) of the six (6) surveys were for twenty-four (24) hours. So, I can assess whether what I was getting during the hours of operation were typical of what you could expect vis-à-vis the MTQ information. So, I forgot your question again. What was it?

945

THE COMMISSIONER:

(Translation) Why would LDC come up with a volume of circulation that is lower than what you've counted? And they've also based themselves on the MTQ that were completed following the questions that arose from the environmental or Environment Department. Why would they present some rate of circulation that is lower than the reality?

950

MR. ED MASOTTI:

955

I don't know. I really don't know. Geez, I'm still losing my train of thought here. Give me a second. Again, if you look at our traffic survey, our overall numbers are good. The way they went and looked at the amount of trucks is very misleading, because they're trying to take an

average, and you can't take an average.

960 Each time of year is going to have a different situation. Most accidents happen in the six (6) months around winter, not in the summer. There's probably - I don't know. There's more logging trucks probably in winter than in the summer.

So, what they did was try to take an average, and I think that was a mistake. You can't - I don't think you can average it out. You have to look at each individual period.

965 What I'm saying is I think my results are good for the winter situation. If this impact would have been delayed, I would have been doing surveys every month, so I could have told you what - you know, what was the situation during the summer, what was the situation during the fall, because I really think that there is going to be a difference, and the impact is going to be different, as you go through the seasons.

970

THE COMMISSIONER:

(Translation) I will certainly take the time to look at it completely. So, thank you very much for your presentation.

975

THE CHAIRWOMAN:

(Translation) Mr. Masotti, the trucks that you have observed on the bridges, do you know where they were going after this? Do you have that information?

980

MR. ED MASOTTI:

985 Yes, it's in the brief. It's in annex C. I think it's in annex C3. There's a picture there that I down-loaded from the MRC waste - I should say the City of Gatineau's waste management plan, where they showed all of the transfer stations, all the private transfer stations.

990 What I was a little surprised though was there was also some construction companies that collect garbage or collect recyclable materials that were included in there. So, it's in C3, I believe, you'll find where they're going.

As we said in our report, we followed three (3) trucks, okay, across the border. I followed two (2), and someone else that I know followed another one. And all the pictures are in the annex C.

995 And the two (2) trucks that I followed, one went to the Miral station in the northern part of Aylmer, and the other one went to the City of Gatineau recycle station, or, no, I'm not sure what it's called. It's *usine*.... I'm not sure what that means, maybe recuperation centre or factory. The

other one went to the Condor transfer station. So, the three (3) that we followed all went to transfer stations in Quebec. I'll also point out that --

1000

THE CHAIRWOMAN:

(Translation) And so, these transfer stations, following that, the volumes that were transported into those transfer stations they leave there to go to be eliminated somewhere or for sorting all the recyclable matters and so on? How does it work?

1005

MR. ED MASOTTI:

I'm not sure about the recyclable material. I do believe they are going to these transfer stations, and they do sorting. You will notice though that I have been told the demolition Outaouais trucks apparently go straight to Perkins without it stopping. I don't know if that's true or not. Maybe the Ministry of Environment enforcement would like to look into that, but all of these transfer stations are doing, I think, triages, and then they get reloaded.

1010

What you will see in the annex where we show the pictures of the trucks going to Cantley, okay, you will see all of those trucks are coming from these transfer stations, these private transfer stations. So, they're a slightly better quality of truck than what you saw in the pictures going across, you know, the bridges between Ontario and Quebec, but not overly better quality.

1015

THE CHAIRWOMAN:

(Translation) So, thank you for your testimony; so, Mr. John Edwards.

1020

MR. JOHN EDWARDS:

Mme. Chair and Mr. Commissioner, my name is John Edwards. For thirty-eight (38) years, I have been a rate payer and a resident in the municipality of Low and with a home on Highway 105.

1025

We often talk about there being two (2) types of residents: one permanent, one seasonal. I think I can say truthfully that I'm neither. I don't live up here all the time, but I do live here through all the seasons. So, you might say that I'm a part-time resident, and certainly I spend a large part of my time up here.

1030

As might be expected, given the location of my residence, my primary interest is the impact of the proposed highway - pardon me, the proposed mega dump on Highway 105.

1035

My presentation addresses two (2) issues: first, the general question of how close can

1040 and should garbage disposal sites be to the main sources of garbage, and then, secondly, some characteristics of Highway 105, a little bit of its history, traffic levels, and accidents.

If I knew how to turn it off, Mme. la Présidente, I would, because it is distracting until I get to it, but I will get to it in due course, and I don't know how to turn it off. So, I should leave it on.

1045 Most people would likely agree with the proposition that the distance garbage is transported should be minimized as much as possible for all kinds of reasons, including the motivationally sound reason that cities, large areas, large urban areas, should clean up their own mess and not just move it to someone else's area.

1050 Teknika-LDC seem to believe this proposition at least to some extent, when they argue in the impact study that the dump should be within a hundred (100) kilometres of Gatineau, or when Mr. Rouleau, in his attempt to persuade the City of Gatineau to buy into his proposal, wrote that Danford, being forty (40) kilometres closer than Lachute, there would be a reduction in CO₂ emissions of a hundred thousand (100, 000) kilograms a year, if that city transported its garbage
1055 to Danford rather than to Lachute. He added with a nice flourish that this would not be negligible in the context of the commitments made by Canada in regard to the Kyoto protocol.

The same support for the proposition was given when Dr. André Poulin, in the first phase of BAPE, stated that he did not think that the possible trucking of Gatineau garbage to the dump
1060 near Trois-Rivières would be consistent with the concept of sustainable development.

So, how did Teknika-LDC defend the Danford site from precisely the same kind of criticism of not having found a site much closer to the primary source of garbage, namely the City of Gatineau. They simply asserted that "the presence of Gatineau Park, numerous lakes, and
1065 important rivers with major watersheds" justified ruling out the geographic area of the MRC Vallée-de-la-Gatineau and the MRC Collines-de-l'Outaouais. These two (2) MRC's just happen to encompass the entire range of Highway 105 from the City of Gatineau to the Kazabazua turn-off to Danford.

1070 This argument is furthermore pretty thin. Many would argue that there are parts of both MRC's that have fewer lakes than the area of Alayn-and-Cawood. Furthermore, the drainage from Alayn-and-Cawood, in fact, through its streams and rivers, ends up in the same watershed, namely the Kazabazua River and the Gatineau River.

1075 The possibility that huge quantities of garbage should be transported over an eighty-five (85) kilometre largely two (2) lane route for the next thirty (30) years is, for many of us, very disturbing. And this concern is by no means limited to those who live on or near Highway 105. It is certainly shared by some Quebec government officials, who were very frank in their comments

on the impact study.

1080

Jean-Pierre Lefebvre, with Environment Quebec, captured the concern that many of us feel so well in his reaction. To quote his words, albeit in translation:

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"This waste management proposal is based on assumptions that seriously undermine the values associated with sustainable development. A proposal that involves the movement of thousands of heavy vehicles over the coming decades with the consequential demands for fossil fuels and all that implies, air emissions, greenhouse gases, as well as the noise impacts on those who live along the proposed route, does nothing to convince us that it will result in a more efficient use of our resources, nor an improvement in the quality of life of the residents directly affected by it".

1090

Because of the dangers in public policy of drawing conclusions about a specific case without looking at the broader picture, I decided to conduct a rather rudimentary survey by e-mail and telephone. Given that the City of Gatineau has about two hundred and fifty thousand (250,000) inhabitants, I contacted the thirteen (13) Canadian cities which have a population of between

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a hundred and fifty (150,000) and three hundred and fifty thousand (350,000) residents.

And I asked them how many kilometres was there between their city and their primary landfill site. In cases where the site was within city limits, I asked them to estimate the distance from the downtown to that site within the municipality. I think you will find the results interesting, and they are recorded on the chart that is now being shown.

1100

Victoria's landfill, as indicated on the chart, is eleven (11) kilometres from the city. Burnaby does not have a landfill site. It has a huge incinerator which handles ninety percent (90%) of its non-recyclable waste. It is within the municipality about ten (10) kilometres from the city's centre.

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And it may be worth recalling earlier in the BAPE hearings that we learned that Gatineau probably would have an incinerator itself right now, but for the moratorium that was brought in by the Quebec government.

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Saskatoon's landfill is seven (7) kilometres away. For Regina, it is ten (10) kilometres. For Sudbury, it is five (5) kilometres. For Windsor, it's thirty-five (35) kilometres. Then, we come to Markham and Oshawa, two (2) cities that have traditionally transported their garbage over two hundred (200) kilometres into the United States. That avenue ends in 2010.

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Despite the similar tough deadlines, they're tackling the challenge that they face in a manner very, very differently from the course that was followed at Danford. They have, I think,

1120 established a process that may be close to a certainly good model, maybe not a perfect model, but a very good model.

1125 First of all, the two (2) regions involved, York and Durham, which encompasses the two (2) cities, decided to work together on a joint solution. Then, following public consultations at which eighty percent (80%) of the participants favoured thermal solutions and less than one percent (1%) favoured creating a landfill site, they decided to select the former and not consider landfill as an option.

1130 They then established site criteria, identifying a sizeable list of possible sites and, after more investigation, reduced this list to five (5), all on land zoned industrial.

They have completed over fifty (50) public consultations.

1135 A request for expressions of interest from possible vendors of technology will be issued shortly, followed by a request for firm proposals from those vendors that are of interest to the two (2) counties. And then, the preferred site and vendor will be selected in 2008.

1140 It has been a transparent process with an informative web site telling everyone what was happening. I don't want to leave the impression that everyone is happy, particularly those people closest to the five (5) sites. There are concerns about transportation and public health, which are being addressed in part by another round of consultations, which take place later this month. All five (5) sites are within thirty (30) kilometres of both cities.

1145 Then, coming back to that first chart, we come to Gatineau. No, we come to Sudbury - no, not Sudbury, Gatineau. Despite the pressures from the developer and the MRC Pontiac, this city has held, I think, a relatively steady course throughout recent months at any rate, saying they're looking for a short-term solution to give them time to find a better long-term solution, which probably, from my discussions with them, will be waste-to-energy type.

1150 In the case of Laval, the landfill is fifteen (15) kilometres from the city. In the case of Sherbrooke, it's four (4) kilometres from the city. And you'll remember, in the first part of the BAPE process, there was talk about - I think André Poulin was telling us about a class action by residents against that landfill site that was dismissed. Halifax is eleven (11) kilometres. it says ten (10) there, but I've got eleven (11) here. It's maybe ten and a half (10½) from downtown. And St. Johns is seventeen (17) kilometres.

1155 To summarize, we have thirteen (13) Canadian cities. Ten (10) have firm arrangements. And of these, nine (9) have disposal sites within seventeen (17) kilometres, less than the distance from Gatineau to La Pêche. Two (2) others are in transition to new technologies and sites quite close to them. And the thirteenth is Gatineau, which, I think, is likely following the

1160 Oshawa/Markham path, albeit at a slower pace.

These thirteen (13) cities are located in a wide variety of geography. And given that almost all have found or are finding nearby garbage disposal location, it would seem fair to ask how seriously the Danford proposal, with its long-distance trucking, should be taken.

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I'd now like to turn to the second part of my presentation, which is about characteristics of Highway 105.

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Commissioners, as you will have seen, small towns are dotted along the highway, originating from the establishment of rest stops for those travelling in horse-drawn vehicles, hence, the fact that so many of them are about eight (8) kilometres apart: Wakefield to Alcove, to Farrellton, to Brennan's Hill and Low, to Venosta, to Kazabazua, to Gracefield, and on to Bouchette and Maniwaki. The highway runs through the heart of most of these small towns, and it will be decades before they are bypassed by the extension of Highway 5.

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With growing numbers of trucks, more and more commuters to Gatineau and Ottawa, more cottages and tourists, the traffic at some times of the day can be heavy and usually moving fast. Sadly, only a proportion of drivers observe the speed limits on the open road, and even fewer observe the lower speed limits within the towns.

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All of us who regularly use Highway 105 have had many scary moments. Portions of the road also reflect its origins by following along the river. And as a result, you've got these quite winding and sharp turns, particularly just north of La Pêche.

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For these reasons alone, a substantial increase in truck traffic would not be welcome. How much how an increase would result from the mega dump remains unclear.

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Teknika-LDC, you've heard from Ed Masotti and indeed from them themselves, argue that, for Highway 105 up to Kazabazua, it would be less than a ten percent (10%) increase, just fifty-eight (58) more truck trips a day. What may not be readily understood is that eighty percent (80%) of those additional trucks would be the twenty-seven (27) tonners that most of us fear and, as a result, would be a major increase in such trucks, in these heavy, heavy trucks.

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Based on my observation of traffic on the 105, I suspect that the increase would probably be equivalent to doubling the number of lumber trucks that we have coming up and down the highway right now.

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However, the estimates of Teknika-LDC may be very wrong, as Ed Masotti has been explaining in his presentation. That whilst the number of twenty-seven (27) tonners may be right, the increase in seven (7) tonners would be perhaps ten (10) times the size of what's in their report for the Highway 105 section.

1205 Regardless of which set of estimates one chooses, there can be no doubt that there will
be a significant increase in heavy vehicles on a road where there are many accidents. Those of us
who have lived in this area for a long time will recall the carnage of twenty (20) years ago, when
the highway was nicknamed Sang Cinq, excuse my poor pronunciation of what in English might
be called Bloody Five.

1210 Improvements to the highway in recent years have removed some of the more dangerous
spots, but the rising traffic levels seems to have more than offset their impact.

1215 In November of 2006, La Pêche Mayor Robert Bussièrés was quoted in a newspaper as
saying that there have been too many lives lost on the narrow crooked highway, because it had
become very dangerous over the past ten (10) years. He continued:

*"Highway 105 is blocking the growth of La Pêche and communities to the north, because it is a
dangerous highway".*

1220 And he repeated this view yesterday, you'll recall.

1225 Information received from the Outaouais division of the Ministry of Transport, as a result of
a question posed in the first part of the BAPE process, provides clear evidence that the
perception expressed by Mr. Bussièrés and others that the 105 is becoming steadily more
dangerous is, indeed, reality.

1230 The total number of accidents on Highway 105 from the end of Autoroute 5 to the
Kazabazua turn-off averaged a hundred and thirty-seven (137) a year between 1995 and 2000. It
has been rising since, and, in 2006, the total of a hundred and ninety-seven (197) was forty-four
percent (44%) above the average in the late 1990's.

1235 Another perspective may be added. The Government of Quebec, in its transportation
policy 2001 to 2005, sought to achieve a fifteen percent (15%) reduction in serious accidents,
that's death and serious harm, over those five (5) years. While the objective was not reached,
there was a seven reduction (7%) across Quebec, but, on Highway 105, there was a small
increase.

1240 The Ministry advises that we should be careful with this last set of figures, because the
total numbers are very small. At the very least, we can say that no improvement has taken place
on Highway 105 in the number of most serious incidents, while the total number of accidents of all
kinds continues to rise unabated by whatever improvements are being made to the roads.

 It is against this background that we must confront the probable impact of the increases

1245 in truck traffic that would result from the Danford Lake dump. I don't think anyone would argue that the increases can do other than increase the number of accidents.

In early 2006, Jacques Viger, Regional Director General for Health & Social Services responsible for the Outaouais, responded to the impact study in part as follows:

1250 *"According to us, the worst part of the route is between Wakefield and Brennan's Hill, because there Highway 105 is very winding and narrow. Can one try to evaluate the increase in accident risk that would result from the dump, taking into account the twenty-seven (27) ton trucks?"*

1255 No reply seems to have been made by Teknika-LDC. Yet, it is an important question, since apparently seventeen percent (17%) of deaths in Canada, road deaths in Canada, have involved trucks over four point five (4.5) tons, which is not so surprising in that transport trucks take about forty percent (40%) more time, more distance to stop.

1260 We do not believe or I do not believe, my family does not believe, that a project that would lead to a significant augmentation of trucks should be authorized until some success has been achieved in reducing the accident rate.

1265 In his response to a question earlier in these proceedings, Jean-Louis Poissant, an official with the Ministry of Health & Social Service, said it would be better if the site were on the south side of Wakefield, and, given the number of trucks already using 105, he worried about the impact of more.

1270 I am totally against this project, and I hope the government will not authorize it. I cast that in the context that there are better alternatives, and you've heard about them. There is really no reason why a better site could not be found closer to Gatineau.

1275 If the concern is about loss of farmland we heard about in the early part of the BAPE hearings, then move from a landfill to something that is more economical in terms of footprint such as gasification or incineration.

And I would note the recent U.S. study 2006 notes that:

1280 *"Emissions from diesel trucks are far greater than the trace emissions from controlled waste-to-energy plants".*

Better still might be two (2) waste-to-energy projects: one close to Gatineau and a smaller one up in Danford perhaps, Kazabazua, or something of that kind. Both these measures would drastically reduce the amount of transportation that would be necessary.

1285 In the short run, there is an alternative right on the table, and that is Lachute. And, indeed, most garbage is already going to Lachute, or, alternatively, the Quebec government could cause a delay that you've been discussing a little bit earlier today in the closing of its trench landfills to give a transition period to come up with a better solution.

1290 Perhaps equally important, my views that I'm expressing, I believe, are consistent with the City of Gatineau, and that is of critical importance, given the dominance of that city on the entire Outaouais.

1295 Finally, I do believe that we are seeing, as others have mentioned, the beginning of the end of major dumps, and I'm also convinced that we are in the stage in our society right now where, after years of uncertainty, of rhetoric and little change, a major shift in public policy towards handling of the environmental behaviours of our society is well under way.

1300 I believe that the practice of dumping huge volumes of waste will end in the face of public opposition like you're hearing at these hearings. It will end as we become more enthusiastic about the three (3) R's of reduce, reuse, and recycle, and the growing popularity of technological alternatives to a landfill, thank you.

1305 THE CHAIRWOMAN:

(Translation) Thank you; in your research, sir, concerning Canadian cities of comparable population to Gatineau, did people speak to you about different long-term approaches? Did they talk about changes they're expecting concerning elimination procedures, types of elimination, where they are right now using landfill techniques and possibilities of changes?

1310 MR. JOHN EDWARDS:

1315 All of them, Mme. President, are thinking about alternatives. Most of them face the reality of their financial situation. If there's capacity still left in the landfill, they seem destined to live out that life, but all of them are talking about once the landfill is exhausted, we are going to have to look at alternatives.

THE CHAIRWOMAN:

1320 (Translation) Thank you, and do you have any information about the other - on the approaches to public participation that are being set up in these cities, so that people can bring out scenarios and alternative scenarios and options?

1325 MR. JOHN EDWARDS:

I mentioned at some length the case with Oshawa and - well, Durham, York, the two (2)

counties, which I found, and I dug into that, because they were explaining what they were doing, and I became more and more enthusiastic and then saddened by the lack of - or the great contrast between what has happened there and what is happening at Danford.

1330

I mean there is no question, as you yourself were saying earlier or perhaps it was Commissioner Labrie, no one welcomes a garbage disposal site of any kind next door to them, but the preparation that is being made there and the way they're going about it, I think they have a very good chance of pulling off a solution where there will not be major opposition. It is on industrial land. It is just - in most cases, just off a major highway. So, there's a very short distance in from the highway.

1335

And they are - they're going to so much trouble to get discussions going and bring in the experts to explain, if they're worried about health effects and what have you, living maybe ten (10), fifteen (15) kilometres away. They are trying to answer the questions.

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So, I think it's an example of very open - but these are tough public policy issues, as has been mentioned before.

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THE COMMISSIONER:

(Translation) In your research on the other sites for waste treatment in Ontario and elsewhere, what was the - what were the technologies that were being used or that were being adopted in those areas?

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MR. JOHN EDWARDS:

I mentioned we're going through major change, but it is not instantaneous everywhere. In the case again of York/Durham, they are facing a need to do something, and I think they're doing it in a very good way. I

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In the case of Burnaby, they've got a good incinerator that has been working for quite a number of years now, and there seems to be no serious side effects in terms of public opposition or, worse still, health effects or something of that kind.

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Brantford in Ontario has an incinerator. They, too, are feeling so good about it that the opposition in Ontario is arguing that that's a model for their policies, if they come into power.

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I think the truth of the matter is no one wants to do anything, if they've got an easy established routine. So, the ones who have got a landfill site that has got another ten (10) years to go, they're probably starting to talk and muse about what might happen thereafter, but they're not going to suddenly cut themselves adrift from that landfill.

1370 THE COMMISSIONER:

(Translation) What are the alternative technology that you might hope to see here in this region?

1375 MR. JOHN EDWARDS:

I'm sorry, I missed the beginning of that.

THE COMMISSIONER:

1380 (Translation) And, in your opinion, what are the alternative technologies that we should use here in this region or that we should - after examining all of them, what would be the best in your opinion?

1385 MR. JOHN EDWARDS:

I'm convinced, after the last year of immersion in this field - so, I'm not a long-term expert. I'm not a short-term expert, but at least for a year I've been struggling with these issues, but I'm convinced it is a mixed solution, that you're not looking for a particular sole bullet that's going to answer everything. You don't throw everything into a gasification plant and say we've done it.

1390 What we're going to have to have is composting. We're going to have get recycling. We're going to have to start reducing our heavy levels of consumption of plastic bags and other things of this kind, but, at the end of it, instead of landfill, we would - I would favour gasification, because there's very little residue that can't be used.

1395 But I really am impressed by - intensely impressed by some of the small-scale modern incinerators that are being used in Sweden and elsewhere, where you have one on a block, and the power that comes from it is being used for heating or lights or whatever it is in that block. There is a cruise liner, one of the Carnival cruise liners, that has a gasification plant on board.

1400 It's a very versatile technology, but it - we don't fully understand the financing of it yet, and we won't know that in Canadian context until the Trail Road site is a little bit more advanced. Certainly, the financing proposal by the promoter, by Plasco, is intensely interesting to mayors of small towns or even large towns, because they put up all the money, and then they recover their revenue from either tipping or from the sale of their electricity or their waste products that can be used in construction or in other ways. So, it's very attractive. You don't have the upfront expenditure.

1405 The down side, as someone pointed out earlier today, is that that means it's in private

1410 hands rather than public hands, and maybe this is a function like police work, prisons, that should indeed be held close to the chest of government.

I don't think so. I think good regulation can allow for private sector promoters to act highly responsibly, but only with good oversight. And that worries me, as some of the stuff that's coming
1415 out from the Quebec Auditor General that indicates that oversight is very weak.

THE CHAIRWOMAN:

(Translation) Thank you, sir; so, we're going to take a fifteen (15) minute break.
1420

SHORT ADJOURNMENT

THE CHAIRWOMAN:

(Translation) So, we are going to invite a spokesperson from the Bassin versant de
1425 Gatineau, Mrs. Cindy Duncan-McMillan, Comité du bassin versant de la rivière Gatineau.

MS. CINDY DUNCAN McMILLAN:

1430 Good afternoon, Mr. Commissioner and Mrs. Chair. (Presentation of brief)

A proposed solution: I believe citizens are responsible for their own garbage. Until urban centres have to see, smell, and confront what they reject, they will not reduce their consumption. They will not effectively recycle, nor will they compost or reuse. I believe it is wrong that such a
1435 pure and pristine natural environment should receive and suffer the rejects of the citizens of other areas.

When you visited Danford Lake, an area approximately one and a half hour north of Canada's capital, Canada, a member of the G8, you experienced natural, unblemished
1440 wilderness, a wilderness not much that different from when our settlers first travelled into our region. Why should there even be consideration towards violating this precious area?

The solution I propose is encourage our Quebec government to promote alternatives to landfill sites, establish and support recycling in our communities, embark on more pilot
1445 composting projects, ensure our schools promote environmentally responsible actions. The solution is to move away from regional collection of garbage. There needs to be further research and investment into the alternatives to the regional mega dump philosophy.

As a cattle producer, our family farm is responsible for the waste produced by our animals.
1450 We're required to take soil samples to ensure we're not overloading our fields with more

nutrients than the plants can absorb. We must ensure our livestock don't drink from water courses. Livestocks cannot trample the shorelines, which creates erosion that will degrade the quality of the water. We must apply for certificates of authorization to store and spread animal waste, certificates of authorization to stable and to establish wintering sites.

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There are so many restrictions upon small family farms in order to protect the environment, but the present government's philosophy on regional landfills is in violation of the intention to protect our national environment.

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The Quebec government must change what is now perceived as a solution. How can our Quebec government that presently implements restrictive and some believe progressive environmental regulations on family farms, regulations that are among the most restrictive in Canada, and then it continues to promote regional landfills? It's an outdated poor alternative to waste management solutions. There are alternatives that exist that will create energy rather than accumulate waste.

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No matter what issue or imposed change is inflicted upon a community, if we inform, if we consult, if we dialogue, and if we exchange with - between municipal, MRC, provincial governments, and citizens, we can achieve consensus. Usually, having a respect for a process which informs, consults and respects the concerns of citizens will lead to the discovery of a solution.

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THE CHAIRWOMAN:

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(Translation) Thank you; so, your role in the Committee of the Bassin Versant has led you to experiment the consultation process, a form of mediation to develop some consensus and to bring people to come up with some common grounds. Can you transport it in the region?

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Because we have heard of the necessity to have a regional vision, and the promoter proposes a solution or an approach that says that will answer the regional problem. And, on the other hand, the government has recognized that the MRC's and that the big cities have the responsibilities to define their management approach.

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How do you see that, at one point in the Outaouais region, that this moment will arrive as soon as possible? How can we get to that, this "concertation" to have a long-term vision with a solution that might be more accepted by the citizens?

MS. CINDY DUNCAN McMILLAN:

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(Translation) If we want to find an acceptable solution, we must respect the citizens. There was no dialogue, no exchange. We have to restart the consultation table, which means the respect of all the participants, of all the perspectives around the table. And if the citizens are

not around the table, then we're never going to find a solution for the region, if everyone in the region is not around the table.

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THE COMMISSIONER:

(Translation) Within the Committee of the Bassin Versant de Gatineau, have you had to intervene in files before in the past which was the activities of - where you had activities that could have been harmful to the Gatineau River?

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MS. CINDY DUNCAN McMILLAN:

(Translation) We finished our public consultation, and our mandate is to find a direction given by the citizens that participated. So, when someone arrives to express their ideas concerning a landfill site, then it becomes an issue for us and a mandate for the coming year. Do we have - did we have information? Did we have - is that what you're wanting to know?

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THE COMMISSIONER:

(Translation) In the past, on other projects, I'm not talking about this project that we're concerned here, but, on another project, have you had - has your committee had to intervene on issues or on something where there were concerns to contaminating the river?

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MS. CINDY DUNCAN McMILLAN:

(Translation) No, we are a committee that was - that came to life in 2004. So, it was almost an embryonic process still, but it was a public message. It was a public message that came up regarding this land site or landfill site.

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THE COMMISSIONER:

(Translation) Thank you.

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THE CHAIRWOMAN:

(Translation) Thank you; Susan Rogan is next.

MS. SUSAN ROGAN:

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Good afternoon, Mme. Chair and Mr. Commissioner, I was born and raised on a farm near here, and my husband was born and raised in the village of Danford Lake. We live in the city now because of our jobs, but most of our recreation time is spent here in the Gatineau Hills. And many of my fondest memories over the past forty (40) or so years, maybe more, are from

1535 time spent in the Gatineau and especially in Danford.

We have a cottage in the Danford area and attend many of the community events and support the community activities. The people in Danford have always been so welcoming, so open, and they have such a wonderful strong community spirit.

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Now, my presentation is not a technical presentation. It's simply my personal viewpoint. There are many reasons why I object to this proposed landfill.

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First of all, the site is on sand and gravel, and this is the worst type of base for a landfill site; second of all, the proximity to the Picanoc River and the potential to do serious damage to the river; and the third is Highway 105. This road is largely a two (2) lane highway. It has a reputation as a killer highway with its many twists and turns, and most sections do not have paved shoulders.

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Another reason is the manner in which the dump is being imposed on the people. Despite a huge effort on the part of the citizens, they were denied a referendum regarding this landfill site, and the decision to proceed to this stage was made by just a few people.

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But the two (2) main issues that bother me about the project are leachate and transportation.

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When we talk about leachate, we talk about liquids that come out of the landfill site. Leachate, which is captured by the leachate treatment system, is one thing. The engineers assure us that the treatment facility will work well, and that the treated leachate will be diluted sufficiently by water from the Picanoc River. They have calculated the ratio of leachate flow in relation to the flow of the river water and say that it is acceptable. This indicates that dilution is seen as part of the treatment solution.

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Leachate which is not captured by the the treatment facility is another thing. This can leak through holes in the liners caused by equipment, rodents, solvents, or just with the passage of time. It can then enter the ground water. There's also the possibility of a major one-time leak. This could be caused by a torrential rainfall. We had a storm last summer where three (3) inches of rain fell in a day and a half.

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There could be a breakdown of equipment in the treatment facility. If it took a long time for delivery of an important replacement part, what would then happen to the leachate? Once the storage tanks were full, the untreated leachate would have to overflow in huge quantities into the Picanoc River. What impact would a major overflow like this have on the river? And if the damage were significant, how long would it take for the ecology to recover? Many people along the Picanoc and Gatineau Rivers will suffer negative consequences if this happens.

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One thing that's so nice about the Picanoc is that it's a small clean river. And I love to canoe there, and I usually go for a few quick swims during a canoe trip to cool off. If this dump goes ahead, I would not feel the same about swimming there. I'd always be wondering what exactly is in this water. It looks okay, but is it okay? There would always be that uncertainty about the water quality.

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The second issue that bothers me about this proposed landfill site is the issue of transportation of garbage. I don't just mean that Highway 105 is narrow and dangerous. We all know that. What I'm talking about is another aspect of transportation. Trucking causes greenhouse gas emissions and harms the environment. The farther you transport something, the more greenhouse gas is produced.

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Why are we talking about trucking garbage from the City of Gatineau, from Val d'Or, from Temiscamingue even, from all over the country, to bring it to Danford Lake? Trucking garbage long distances does not make sense from an environmental standpoint, and trucking garbage long distances is not environmentally sustainable.

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Two (2) years ago, gasoline costs eighty cents (\$0.80) a litre, and today it costs a dollar ten (\$1.10) a litre, a thirty percent (30%) increase in just two (2) years. The petroleum industry predicts that prices will continue to rise, and this will increase trucking costs even further. So, trucking garbage over long distances does not make sense from an economic viewpoint, either. It will make even less sense in the future, as fuel prices rise.

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Let me say that I'm very impressed with this BAPE hearing process. The Chair, Commissioner, and the entire team have demonstrated that they are highly qualified and thoroughly professional, and my compliments go to all of you. You have earned my respect.

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However, I'm somewhat disappointed in the Province of Quebec with regard to waste management. The province has set high standards regarding greenhouse gases and the environment. In fact, Quebec has taken a leadership position by saying they want to meet or exceed the requirements of the Kyoto accord. At the same time, it appears that they have paid little attention to waste management.

1610

It's good that they have declared that trench landfills must be closed, but they have simply passed their responsibility for doing so onto the municipalities. Municipalities have been under pressure to meet a deadline fixed by the province, and some of the municipalities, under this pressure, may have jumped quickly to the wrong conclusion.

1615

We have been reading and learning about plasma gasification during the past year, and it seems to be an ideal method to deal with municipal waste. The technology eliminates garbage in an environmentally friendly manner and produces electricity at the same time. The technology

is common in Europe and is available here today. It is being tested in several pilot projects in Canada, and results for the pilot project in Ottawa will be available later this summer.

1620 I would like Quebec to embrace this technology and to even assist in its development. I would like Quebec to become a leader in this field and to serve as a model to the rest of Canada. The people of Quebec have proved in the past that when we make up our minds to do something, we do it exceptionally well. Let's do the same with plasma gasification. Let's decide to do it exceptionally well.

1625 The timing is critical here. We are so close to having a better solution available, so close. I would ask that Quebec place a moratorium on the creation of new landfills, so that this plasma gasification technology is given the chance to prove itself. If the technology proves itself and if we work together, we can make landfills a thing of the past right across the province. Let's do it.

1630 Thank you, Madam.

THE CHAIRWOMAN:

1635 (Translation) Thank you, Ma'am; well, you propose indeed that Quebec examine other options other than landfills, but here in the region we heard that the table of - the Reeves' table wants to work together to find a solution, a medium-term and long-term solution. How do you see - what do you think of this approach? And are you confident that the Outaouais region will finally have a long-term solution that will not include export of its garbage outside of its territory?

1640 MS. SUSAN ROGAN:

I would say that if we don't give the municipalities a chance to work together, they don't have a chance to find a proper solution. And, yeah, I do think that, given a little bit of time, that the municipalities and the City of Gatineau can come to a good agreement and a good solution.

1645 And as the lady before me mentioned, recycling is a part of it. Composting is a part of it. And as a last result, the things that can't be reused and recycled and composted, plasma gasification or a plant like they have in Brampton which is an incineration plant, I think, are good.

1650 And, yes, I do have confidence that they will - given a little bit of time, given a little bit of extra time, they'll find a suitable solution here. I think that they've felt under pressure.

1655 And also plasma gasification is new. It's just - new in this area, I mean. It's not new in the world, but certainly I had never heard of it two (2) years ago. So, now that we've read about it, we've heard about it, and we're going to see living proof of a working plant pretty soon, yes. Could I say one other thing, or are we out of time?

THE CHAIRWOMAN:

1660 (Translation) Go ahead.

MS. SUSAN ROGAN:

1665 Okay, the mega dump, the whole issue of the mega dump in Danford has divided the company - divided the community and has caused great stress and emotional pain to the people. If the dump were to be cancelled, time would very slowly heal these wounds, and things in the community would return to normal.

1670 But if the dump proceeds, these wounds will never heal. Every time a garbage truck passes through the village, people will be reminded, and the wound will be reopened. I fear that if the dump proceeds, the community will never fully recover. That's my personal opinion.

THE CHAIRWOMAN:

1675 (Translation) Thank you, Ma'am, for your testimony. Now, we will invite the spokesperson for the Conseil régional de l'environnement et du développement durable de l'Outaouais.

MS. NICOLE DESROCHES:

1680 (Translation) Good afternoon, yes, I am Nicole DesRoches, and I am Director General of the Regional Council of the Environment, and I will read my text. So, I'll try to slow down. Yes, I was not able to table my brief before the Friday deadline, because I am very much in demand these days, it seems. So, I've got an electronic copy that's available.

1685 So, the Conseil régional du développement durable de l'Outaouais is one of a number of councils in the Outaouais, and it's a non-profit organization whose first mission is the protection of the environment and natural resources and the promotion of sustainable development.

1690 And in the present brief, we do not intend to deal a great deal with the technical aspects, because, for us, the siting of the TLS and the transport and noise problems and so on and the alternatives for the alternatives to a landfill are what really preoccupy us.

1695 And so, I'd like to give you a little bit of background and context, since context seems to be lacking in the present discussion. So, when our group was created in 1990, they dealt with waste management, and the Conseil régional is still involved in this. And I was part of the Board of Directors in 1990.

Now, as a context, you must understand that the Outaouais is a region of contrast. The

1700 population of three hundred and thirty thousand (330, 000) inhabitants is on three hundred and thirty (330) square kilometres, but there's only one big city, Gatineau. There is no medium-sized city. The municipality, the next biggest municipality is Val-des-Monts with nine thousand (9, 000) inhabitants.

1705 And Gatineau, with seventy-two percent (72%) of the total population, occupies only about one percent (1%) of the territory, and this is in the very southern tip of the region. And it's the fourth largest city in Quebec with an annual growth of eight percent (8%), and it was, for long, one of the capitals of industrialization in Quebec from the end of the nineteenth century and the first half of the twentieth century.

1710 It's one of the youngest and most educated and richest populations in Quebec with the lowest rate of unemployment. And the statistics also show that the region is also one in which there is a highest rates of drop-outs of heart attacks, etc. So, we have all the extremes of what is best and what is worst in this region. And as a university professor said, there's no such thing as the average Outaouais.

1715 So, there are two (2) areas that are - resource areas that are among the poorest in Quebec, on the other hand. On the other hand, the fourth MRC is among the fourth richest, is perhaps the fourth richest.

1720 And many citizens go into town every day to work. So, there's the question of safety on the 105.

1725 And more than eighty percent (80%) of the Outaouais territory is public, which is covered eighty-five percent (85%) by forest and ten percent (10%) by lakes and rivers. And the forest is of a mixed nature, and this - because of this forest, the Outaouais has one of the greatest biodiversities in Quebec, both in terms of wildlife and plants. And it has, however, the least protected areas, even if you include the Gatineau Park, which is a jewel of this diversity, but which is not officially protected, because it belongs to the Crown. There is only about two percent (2%) of the area of the Outaouais that is protected.

1730 The MRC that is around Gatineau, which is MRC Des Collines, has thirty-nine thousand (39, 000) inhabitants, and is one of the largest municipalities. The three (3) other MRC's, RCM's, which are Vallée-de-la-Gatineau, Pontiac, and the others, have no cities of five thousand (5, 000) inhabitants or more.

1735 And most of these two (2) last RCM's are more - are a fair distance from landfill sites. This is why there is a great number of trench dumps, about fifty (50) in the area, which is half of all the trench dumps in Quebec.

1740

And two (2) other things would explain why there are a lot of these trench dumps.

1745 For one thing, we have our neighbour in Ontario. So, we are sort of bordered in, because part - because south - north of Gatineau, there is not really much in the way of bridges or crossings.

1750 And the City of Gatineau sends things into trench - sends garbage into trench dumps. And in 1991, the Communauté régionale de l'Outaouais, which has been replaced by Communauté urbaine de l'Outaouais, used to landfill in the Cooke site in the Aylmer, in the present Aylmer sector of Gatineau.

1755 In 1991, the closure of this dump caused them to send garbage as far as Lachute. However, the former members of the CUO still paid the cost of decontamination of the Cooke site, and this is something that cost them millions. And the closure of the Cooke dump sent people racing for a solution.

1760 A report in 1989, a report tabled in December of 1989 by the CRO, looking for a sanitary landfill site, "A Regional Sanitary Landfill Site" was the title, indicated the presence of some thirty-nine (39) potential sites that could have a sanitary landfill site, because, in those days, obviously the technology was not what it is. And most of them were in the MRC Des Collines and in the Buckingham sector of Gatineau. And the new CUO had chosen an area of around Ange-Gardien, where there was valuable farmland. And so, there was a great deal of opposition there.

1765 And then, incineration, the CREDDO proposed a number of alternatives, for example, two (2) way collection that is used in Waterloo in Ontario. And in 1992, the Quebec government declared a moratorium on incinerators, which was lifted only in 2005. And there was also a moratorium on TLS's which has not been lifted, because that's why there was authorization to do this study, if I understand.

1770 And CREDDO gave a brief. They proposed a number of solutions: the increase of recycling and composting. And these hearings led to - before the BAPE were part of the policy of 1998. However, certain - there are still certain aspects missing out of the regulation. And so, in 2008, very few of the RCM's will attain their objectives.

1775 And in 2002, CREDDO, as well as other organizations interested in waste disposal, met in 2003. The Department of Municipal Affairs brought our ideas to the table of the - the Reeves' table, and they examined the situation of waste in the region. And no region had - no municipality had tabled its plan for waste at this time. There was only the MRC of Papineau, which had such a plan tabled in 2003. So, it was resolved to create a committee made up of CREDDO and the four
1780 (4) MRC's to - seeking also the participation of the City of Gatineau.

And as a result of this, these meetings, CREDDO continued to meet with - I'm saying

1785 CREDDO, but I'm the one who participated with the meetings on the Pontiac and with MRC Des Collines, and I became President of the - and at the regional level, each is working in parallel, was working in parallel, whereas the proponent was preparing his project. In the PGMR, there was some - a fair amount of silence concerning how it should eliminate waste, because either it was put off to a future date or there was simply complete silence.

1790 And in January, 2006, the Government of Quebec said that trench dumps must close by January, 2008. And in January of 2006, as CREDDO noted the inaction in the region, I tabled a resolution with the Commission for l'aménagement du territoire of the regional conference of elected representatives. And this commission reported this to the table of Reeves, and they were mandated to examine this question.

1795 We thought there should be a day of examining the issues and so on, but this was not done, but at least we led to a creation by the table of Reeves of a committee that met last fall.

1800 So, all of this historical context is important, so that you can understand why the Outaouais region is where it is right now in terms of this. And this helps us to understand why there is a certain lack of answers to questions, because these are answers that have to be supplied by elected representatives, most of whom or none of whom were there throughout the process.

1805 So, it is also significant that only the citizens that are closely affected reacted, whereas this waste management issue touches the entire region.

1810 And the elected - municipal-elected representatives failed in their task by not working together until 2006, and the provincial-elected representatives did not do due diligence and by not bringing about the proper regulation. And perhaps we bear some of the blame, too, because we did not succeed in getting the region to see the light until quite recently, and we have also, in reaching the citizens, who are, after all, the people who produce waste.

1815 And so, after the public consultations in 1996 on waste management, we asked the problem - we said that the problem was essentially this. Since we all produce waste, there can only be a sustainable solution if we all become aware and carry on a concerted action and sustained action. And so, we have to use the three (3) R's.

1820 The public powers that we have to put in the encouragement and the penalties that are necessary to get people to do this, and have - sometimes, it's difficult to get popular consensus, but this is how you get people to work together. If we become aware of our responsibilities, we have to have a good communications effort, which is the responsibility of both the government and the people.

And, obviously, no man is a prophet in his own country, because we had been saying

1825 this for years. And as I can see, there still is a big lack of communications on all sides, because - and a lot of things people aren't aware of. And so, certain questions that were asked at the beginning of the hearings weren't answered.

1830 How is it that the citizens of the former CUO do not demand a - are not asking for a better solution to the transport of - and for problems that arise from the Cooke site? How is it that a tiny municipality suddenly becomes the ideal spot to landfill garbage from a municipality, a large municipality? And how is it that we're dealing with this sixteen (16) years after the closure of the Cooke dump?

1835 The City of Gatineau, one of the answers might be this. The City of Gatineau are seeing things in terms of the horizon of 2013. So, they're saying let's renew this, and maybe we'll have another solution in 2013. So, they do not feel very concerned by this, whereas the region now sees the horizon of 2009 that is arriving very quickly.

1840 And the citizens are very little informed, and Allevyn-and-Cawood, a small municipality of five hundred (500) people during the tourist season, suddenly will receive a doubling of its budget. How can they refuse this manna? And the other municipalities are completely bowled over by this, because most of them have no ability to accept waste. So, the citizens who are opposed are accused of suffering from the not-in-my-backyard syndrome, except that you might accuse all the
1845 others of sweeping their garbage into other people's backyards.

So, obviously, CREDDO is not in favour of landfilling, but is in favour of all those new technologies that were mentioned, and we're against large-scale incineration. I found a memo of 1992, and the operation of sites by the private sector without a partnership with the public sector
1850 and the government, because, in the past, that has led to bad experiences.

There are a number of other reasons why CREDDO is rejecting the present project. One is social justice. It is all together unfair for a small municipality to receive ninety percent (90%) of the garbage produced by the region. Also, the two (2) - all along the two (2) transport routes that
1855 are foreseen, small municipalities will suffer the results of these heavy trucks, the noise, the damage to homes, and so on, are not negligible.

And speaking about noise, and I've done a lot of public hearings, CREDDO has asked that the tests be redone. The twenty-four (24) hour test does not really give you a good idea of the sound situation. The way in which sound carries can vary a lot, according to humidity and other
1860 factors. And if there's ponds and bodies of water, it amplifies the sound.

And in terms of fairness, you have to mention that exporting your waste to another region such as being done right now is really not all that fair. And there might - but we might think about
1865 having a transport by train, but we don't have railroads everywhere.

1870 So, the creation of a mountain of waste in a beautiful setting is not a very interesting solution. And people appreciate nature, and the various worries of people about the effects on the water table and so on are very legitimate.

And the protection of agricultural lands is also a good idea, but sometimes it's difficult to understand the process when we see, for example, that they allow golf courses to be set up, but they refuse to allow municipal buildings and so on.

1875 So, the Government of Quebec has to be able to allow innovation and local initiatives to break this impasse and to allow us to find a solution that is good for the Outaouais.

1880 And the rural RCM's should be able to experiment with the treatment of waste, and the government could - should encourage the scientific community to find small-scale solutions. The problem of small municipalities and of having inhabitants dwelling, low population density, and so on, could indicate the need for incinerators or gasification plants or something of this nature. These are the major problematics, because the population density, except for Gatineau, is very low.

1885 And the more you regionalize things in terms of transport and so on, certain municipalities such as the MRC Des Collines have looked for - have done extra efforts in terms of recycling, and it reduces greenhouse gases, and it helps to make the citizens more responsible.

1890 Should we allow - also Quebec doesn't seem to like the idea of composting as much. And every time we bring out a truck to gather composting materials, you've got problems with the municipalities in the province. So, there are three (3) compartment trucks, for example, that can be used for gathering recyclable materials. And the capacity to support the environment obviously and the capacity to develop waste management seem to be in conflict.

1895 One of the things that the government should do and with their policies in a rurality, they should have something to do with the residual matters and their management, I think something that was neglected.

1900 All this makes it so that we are against the project. I think I went over my time. I apologize.

THE CHAIRWOMAN:

1905 (Translation) Thank you for your testimony; you have been a witness of the management plan for the residual matters and hearings, and you said in your presentation that there were little place, little information, regarding the management of ultimate residual matters.

While it is one of the major issues that affect the citizens, it's the fact that you put some

1910 treatment equipment put in place. And this was the policy in the management of the residual matters that derived from this, because the big conflicts that arose on a social level were people who were receiving residual matters from other regions as well for tens and tens of years.

1915 So, the government said, so, get your own management process in place, and they identified the MRC's as being responsible, responsible to find solutions and to do it while consulting the citizens. I think that approach is starting, and that people have not become aware of the capacity to change things or to modify the decision or influence the decision.

1920 In fact, how do you see it here, so that there will be a regional approach that will be - that will come about with the people who have the responsibilities to look after this file? But in consulting the citizens, can we hope that to have one, because it's continuously reported?

MS. NICOLE DESROCHES:

1925 (Translation) If I had a solution, I wouldn't be here. I've been working with elected members, but for the last five (5) years at least, I'm attempting to persuade the elected members to sit together.

1930 The problem is when the PGMR came together. We have to look at human nature. But when the management plan came, the idea of closing the dumps, there was not a decree. So, you know human nature. So, it was coming, but it was far down the road. So, no one division amongst the elected members say it's coming. We don't know when, but we should be ready.

1935 So, since 2002, this is what I've been trying to do and talk with those who are responsible for these files. We tried to do it, but there was changes. There was also the fusion that created a lot of problems, too. So, why are we there? I would really like to have the answer.

1940 Of course, we have to sit with the citizens. The management plan of residual matters was the opportunity to do it, but there were twenty (20), twenty-five (25) people every night. Outside of here, there was maybe eighty (80) people. They were more concerned about something to do with water, water project.

1945 So, I think that the elected members looked at the civil servants, and these people are afraid of the public or the citizens. So, it's a whole learning process, you know, because a round table and consultation is a totally different thing. So, we can't convince the elected members and tell them we have to consult. We have to sit together at the same table, and then we talk, but we're just a sort of non-profit organization, and they always seem to have that attitude. So, many times, I was - they considered me a real pain in the butt.

But the plan of the government, the policy - politics has always been supported, but you

1950 should have regulation. If there was some regulation, we wouldn't be here saying there's a lot of communication, if it had been put in place. So, we're stuck with what we have, but obviously I'm going to continue. I think they've understood, because the rest of the region was not too concerned.

1955 Gatineau said we have our DET, but if we eliminate it, what do you do with an MRC with fourteen thousand (14, 000) people like in Pontiac? And there's three (3) municipalities out of the fourteen (14) that collect the waste, and they have only two (2) that - who leave it to the people to do recycling or not. So, in each region, you always have - you have a city or a town that's going to be a real pool, but here we are sort of the distributary from the Ottawa. And in Ottawa, they have NCC. And so, there's a real difference between the urban and the rural areas.

1960

THE COMMISSIONER:

1965 (Translation) You were saying that Gatineau, if they're going with the deadline in 2008, and they're going to prolong their contract with - for another five (5) years, the representative of the MRC and Gatineau said he was working with Gatineau to arrange a contract with Lachute. So, they're reporting this to another five (5) years. What do you think of that?

MS. NICOLE DESROCHES:

1970 (Translation) I find that unfortunate, but, you know, if it - temporarily, I guess, you know, if you go from a long way to transport all these waste, but if we think we're going to transport them, and then we're going to go to Lachute, it's a long distance. It's a long way. The government should reflect, and they should consider leaving them open for a little while longer, because that's not the ideal situation to transport it for so long.

1975

They met in June, 2006, but the mayor was - just started to sit at the table last month. So, it's going to take a long time. I'm in the environmental commission, and I said that you're going to have to do your plan before the election of 2005, but they just - everything takes time. Everything is slow.

1980

I would like to have the solution. I put all my efforts into it, but maybe the citizens here, they could have a greater impact or greater influence. And if all the citizens and all the MRC's in their own MRC's, maybe it would move a bit faster, but would someone propose a dump site in each MRC? But, you know, I think it's a bit upside down.

1985

THE CHAIRWOMAN:

1990 (Translation) Would the Minister - could the Minister ask for a demonstration at the prefect table, prefects of the MRC? Could they ask - could they look at the solution as being a real solution at their table? Because if they propose a temporary solution in September, and if

it's reported again and again, given the history, eleven (11) years, eleven (11) years ago, it was any time they're going to find a solution. So, how are we going to make sure to ensure that this time it's going to happen?

1995 MS. NICOLE DESROCHES:

(Translation) The Minister can always impose what she wants, what's best to impose. Obviously, a consultation process is better, but I hope she's not going to propose that the site is going to be a good solution.

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And so, I did talk to her, and she says you have five (5) minutes, because all the other regional councils were there, but also the protected areas. But I said I hope that BAPE is not going to recommend for a site, and I hope you're not going to accept this if it's recommended. So, but I didn't have any more time to talk to her, but things that are proposed from above, so we're always caught.

2005

So, the solution that I would propose is to have a regional committee that would be created, and this committee goes in the MRC's, and that we start again the hearings on the plans, but the plans were already close-minded a bit. So, I think that we have to ask the question: If we don't have a DET, what do we do? And if we don't have like recycling, how do you see it? Composting, how do you do it?

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Each municipality could have their solution. There could be a municipal recycling. It could be an eco centre. We could have eco centres, small eco centres. So, it's already sorted, and if you come and get the material once a month. So, it doesn't have to be transported automatically to a sorting centre, which is in the MRC of Des Collines. And so, they shouldn't have to receive it every week. It's not compulsory. So, that flexibility is not there either in terms of the government.

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So, I think MRC Pontiac, ironically, their plan of management was related to some kind of site that they put in, but - so, I think the region should talk amongst each other, so the Minister could maybe propose a process. That might be a better way rather than offer solution, to have a round table, and we're part of the solution, but the CREDDO has always tried to find solution, but...

2020

2025 THE CHAIRWOMAN:

(Translation) But regarding the protection of the natural environment, you said you have two percent (2%) of protected areas.

2030 MS. NICOLE DESROCHES:

(Translation) And the process of protected areas which is a strategy that was adopted in 2001 was started in Outaouais, because Outaouais - because of the forest we have the greatest biodiversity in Quebec, and we wonder if we're on the map sometimes.

2035

THE CHAIRWOMAN:

(Translation) And you don't have any flies. That's great.

2040 MS. NICOLE DESROCHES:

(Translation) Outaouais, it's the unknown region of Quebec. It's a magnificent region, and the process of protected areas has been launched, but the department - there are two (2) or three (3) analysts who work on that, and they came in the region. They went to talk to La Cree. It's like a new beast that they didn't know, because - so, they hit a wall, because these people have to do sectorial meetings. So, it was a learning process for them as well, when they had to deal with these protected areas.

2045

If we want to protect more, it's obvious that the forest biodiversity is there, but the protection is not there. Even the Park of Gatineau doesn't have a status. It's managed by the NCC. And if you look at the land, it says the Queen is the chief of - Queen and chief of Canada somehow.

2050

THE CHAIRWOMAN:

2055

(Translation) And I'm asking you this question, because the objective is eight (8) percent and we are only at two (2) percent in the sectors in Alayn-and-Cawood, there are zones that could be part of these protected areas. And do you have any information on that?

2060 MS. NICOLE DESROCHES:

(Translation) I know that the people in Mont O'Brien made a presentation. They didn't propose - they didn't submit all the protected areas. We didn't have - next week, on the 20th, we're going to have a presentation of all the protected area or the profile of the protected area, but the forest industry, as it is, don't really like the idea of protected areas, but closer than that, I know Mont O'Brien is part of the - there is a proposal that was made by the CREDDO and by the citizens with another group, in fact.

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THE CHAIRWOMAN:

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(Translation) Thank you, thank you for your testimony; so, our last presenter, Mr.

Robert McLellan.

MR. ROBERT McLELLAN:

2075

Good afternoon, my name is Bob McLellan. I am President of the Cantley Dump Committee, a group which was formed in 2005 in response to numerous problems that a dry material dump located on the Holmes Road in Cantley, which is one and one-half kilometres from my residence.

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And, excuse me, I did not make a presentation available to the BAPE last week, because last week I spent - I was in front of the tribunal because of this DMS that we're talking about, and I was presenter at this tribunal.

2085

So, let me share my experiences and my thoughts on dumps and waste management, and I will try to do it slowly for our colleagues in the back, but it is very difficult to be patient and cool on this subject.

2090

I am proof of a dump gone bad, of everyone's worst nightmare.

2095

From the time of the industrial revolution to relatively recently, our western society considered it normal to allow pollutants to the air, to the water, and to dispose of all sorts of other hazardous wastes in the nearest valley, gully, hole in the ground. In this region, we do not have to look far. Large parts of Gatineau Point, presently the Ville de Gatineau and in the east end of Hull along the Ottawa River were used as dumps as recently as the 1960's.

2100

Fortunately, today, we realize that it is outright stupidity and it was outright stupidity, and that we only have one planet for all of us to live on. And if we continue to make this planet a dump, disaster will certainly follow. It's just a matter of time.

2105

The Cantley dry materials dump, and I'll call it le DMS, received its certificate of operation May 1st, 1989. Many in the community, including myself, had concerns about a dump being located in former gravel pit, but the Minister of Environment granted that permit. The DMS was to take only construction waste, no domestic garbage, but things did not go well, and that is not what happened. And that's why I'm here today.

2110

In March, 1990, the dump was placed *sous enquête*, under inquiry, for the first time, not even open a year, by the Ministry of Environment, and I will go through a bit of a chronology of events that will give you an idea of the disaster, the problems, the incompetence that followed.

1995 to 1998, the dump certificate of operation was renewed three (3) times temporarily for periods of five (5) to seven (7) months. During the period 1997/1998, the dumper operated

2115 for a period without a certificate and under full knowledge of the Ministry of Environment. I have the documents from Access to Information and the reports to prove that. April 1st, 1998, the *cour municipale* renewed the dump's operation certificate for five (5) years.

2120 We move forward to the fall of 2004, and neighbours started to complain of very strong smells. It reached a climax on Christmas Day, 2004, when gas recordings, we found out later from inspections, reached three hundred (300) parts per million or three hundred thousand (300,000) parts per billion of hydrogen sulphide coming from the dump.

I should note that hydrogen sulphide can be detected by a human at point five (.5) or one (1) parts per billion. So, we had three hundred thousand (300,000) on the dump site.

2125 January, 2005, the Ministry of Environment placed the dump *sous enquête* for the seventeenth time. It was open in 1989. Sixteen (16) years later, we have seventeen (17) *sous enquêtes*, and there were *plusieurs, plusieurs avis d'infraction durant ce temps-là*.

2130 At that same time, it was also discovered that an underground fire was burning in the dump. Obviously, the Ministry of Environment, Santé publique, Commission de la santé et de la sécurité du travail, police, firemen, municipal government, citizens were all involved in the following months.

2135 March 15th to 19th, 2005, sixty-nine (69) homes and farms, the residents were recommended to evacuate their homes, while the fire was extinguished. One hundred and fifty thousand (150,000) tons of garbage was moved to put out the fire. Residents were not compensated at all, zero compensation. This was all at their total cost.

2140 Throughout the period, most disturbing, the neighbours complained of respiratory problems, of sore eyes, of skin problems, of nosebleeds, of headaches, other health problems, and, yes, some like myself had rats in our basement. I'm not sure what the English word is, but the French word is *dégelasse*.

2145 Intense media coverage, French, English, TV, radio, newspapers obviously followed. Fortunately, it is not every day that sixty-nine (69) families are evacuated from their homes.

2150 During this period, I must add that there was a - well, I wrote, the government, we felt the government was not telling the complete story. I could say there was a complete lack of confidence, really, in the government.

July 19th, 2005, Thomas Mulcair, Minister of Environment, issued a special ordonnance with a long list of clean-up measures for the dump or corrective measures, and he placed a deadline of September 30th, 2005, for the measures to be completed. September 30th, 2005, and the measures were not completed.

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On November 8th, 2005, there was *un requête pour autorisation d'exerciser un recours collectif* was placed by myself, deposited the palais de justice in Hull. So, we were starting the process for a class action lawsuit.

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Move to January 23rd, 2006, the dump was closed, because it had not completed the requirements of the ordonnance, and there is an ordonnance in your attachment, an *ordonnance de sauvegarde*, that you can consult.

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In February, 2006, the dump was allowed to reopen following installation of a gas-filtering system.

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Also, in February, 2006, the Fondé au recours collectif advanced under myself, the name of the citizens, twenty-nine thousand dollars (\$29, 000.00) to commence the action, the preparation of a class action lawsuit.

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In the summer of 2006, the dump owners filed lawsuits against two (2) of the neighbours who were complaining, who had been most vocal in the media about the dump, and these - this lawsuit was for one thousand two hundred (\$1, 200.00) - one million two hundred and fifty thousand dollars (\$1, 250, 000.00).

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On September 20th, 2006, Ministre Béchard, the Minister of Environment, revoked the certificate of authorization of the dump, but, on October 13th, 2006, the Tribunal administratif du Québec allowed the dump to reopen until the hearings, which took place last week on the 4th to the 8th of June.

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On December 21st, 2006, there was a mise en demeure to the dump operators listing the items in the ordonnance still not completed, including such things as a three hundred thousand dollar (\$300, 000.00) security deposit which had not been paid, and there is a copy of that mise en demeure in the attachments.

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On February 15th, the company operating the dump filed for bankruptcy protection with debts of six hundred and sixty-eight thousand dollars (\$668, 000.00). And I would say the Ministry of Environment was one of the creditors.

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In March, 2007, I was forced to withdraw the class action lawsuit because of the prospect for not covering the costs. Our costs would not cover the damages. This was after consultation with my lawyer and with the Fondé de recours collectifs that said, and I am paraphrasing, but you will probably win this case, but you will lose money. And this was based on a similar that the Fondé had supported and that my lawyer had pleaded in the Saguenay of a dump in the - a DMS de Shipshaw in Chicoutimi, in which they won the case, but they lost money.

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Last week, I spent the week in Court in the Tribunal administratif, and we had a very telling day. On Friday, the last day, we had a former dump employee who testified to burying tires, pails of oil, batteries, refrigerator. And, well, he testified. He came forward to testify with us, because he said he was disgusted with the situation.

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What have I learned from the documents, the six (6) boxes of documents that are in my house from this case? The dump operators and the Ministry of Environment share responsibility for this problem. The dump operators were, in my opinion, negligent in the way they operated the dump, but the Ministry of Environment was fully aware of the problems and the infractions.

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Let me give you a couple of examples. Inspection reports, the Ministry of Environment inspected the report - inspected the dump March 28th, 2001. The next inspection was December 11th, 2002. The next inspection was December 24th, 2004, and that was the result of a complaint. I might add that when their certificate was renewed in 1998, the dump was to be inspected fifteen (15) times a year. So, we see two (2) years without an inspection.

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Unfortunately, our dump is not the only one with problems, if you simply read the newspaper and you talk to people in other regions. In the region of Montreal alone, there are a number of dumps such as one which has been operating in Laval without a permit for years.

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In my opinion, the Ministry of Environment has proven they are incapable of ensuring the province's dumps respect environmental laws. During the period when Cantley dump was burying tires, oil, batteries, inspectors were on the site many times a week. The owners paid fines levied by the Ministry of Environment, but considered them a cost of doing business.

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As I mentioned before, the Cantley DMS did not complete the conditions of the ordonnance. It's a very long list, but let me give you only a few.

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The dump did install a geo membrane, a plastic over a three (3) hectare area, but they never sent the quality report to the Ministry of Environment.

They did install five (5) - they pretest, test wells to monitor the ground water, but the wells were either not deep enough or they were not placed where they would likely intercept the dump water.

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The dump did not proceed with the final covering of areas, which had been finished operating.

And a final one, almost a comedy of errors, the Ministry of Environment regulations require installation of a set of scales, *une balance*, have required this since June, 2006. The scales at the Cantley dump were installed on May, 2007, but they were installed within the ten (10) metre buffer zone beside a creek. We wonder how someone can be so stupid, frankly.

2240 What portion of this responsibility of the lack to conform was with the operators of the dump, what portion with the Ministry of Environment, and what portion with the consulting engineering company which had been with that firm, that dump, since 1989, a company called Fondex?

2245 I remark that the company proposing the Danford Lake landfill firm has engaged the firm Fondex to work on their plans.

 In summary, because of the lack of enforcement of environmental laws by the Ministry of Environment in the case of the Cantley dump, I would be very hesitant to depend on the Ministry
2250 to enforce the law or to count on them to enforce the law in a dump anywhere in Quebec.

 In 2007, we can look to Europe and other parts of the world and see that there are many alternatives to dumps, alternatives which pose much less risk to the environment than burying our garbage in the ground and praying that it does not, at some point, future point, pollute our
2255 environment.

 As I said earlier, we have only one environment to live on, to support our form of life, and we hope the lives of generations of humans for hundreds, we hope, thousands of years to come. Dumps are not compatible with a healthy climate, with a healthy planet.
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 The garbage what would be buried in the Danford Lake dump will stay there in one form or another for hundreds, maybe thousands of years. In 2007, we know better, and we must do better for the health of our environment and for the health of generations of humans who are not yet born. Thank you for your attention.
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THE CHAIRWOMAN:

 (Translation) Thank you; you mentioned in your presentation that there was, at least, a perception at least of a lack of surveillance on the part of the Ministry of Environment and Parks to really ensure that they are supervised for the dumps, whether it's a technical dump site or dry residual matters. The Auditor General also said in his annual report that there was failure on the part of the department. So, they say it's a lack of resources.
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 But sustainable development also involves that it is the generator of the risk that should assume or share the cost of the risk that he creates, and there's still no implementation of a settlement process, something that's not in place. And so, when there's a risk that is imposed on a society at large, the one that creates the risk should be supervised by the government. So, how do you see that it can be done?
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2280 MR. ROBERT McLELLAN:

(Translation) The proof is right there, isn't it? The reports of the inspectors, right from the beginning of the opening of the dump, there was an unacceptable waste that was uncovered, waste that was waste in the water, right from the opening of this dump.

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And so, it's clear to me. I'm not a specialist in environmental law, but we have an environment act, but there's no surveillance. There's no resources there for the department for - to ensure that the laws will be respected and followed. And, unfortunately, that's a bit of a situation.

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You know, if it's not in our backyard, we don't think about it, but luckily society is changing its attitudes, and we're now putting a value in the environment. It has gone from the bottom of the list to number 1 in terms of priorities. And, happily, happily, I say, but I have no answer to give to your question, really, Ma'am.

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But there has to be a bureaucracy. There has to be a policing power. There has to be - we, the citizens, have to say that, yes, this is a priority. I've often said in our community that our support in the region was a mile wide and an inch deep. Everybody is against dumps, and everybody is in favour of the environment, but it's always up to the neighbour to take the bus and to use his bus, use the bus and to use the car that uses the least gas, but I think people are starting to change.

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And, you know, I find that, in all these files, all these projects, for dumps, the government is far behind the citizens. You know, they're asking for the closure of trench dumps and so on, but at least show some leadership here. Show us - you know, set an example. Yes, it's going to cost you, but it's going to cost more for the environment if we do nothing.

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And so, in summary, yes, it was not a priority in the past to verify and to inspect. Inspection seems to have been more of a priority for agriculture or other areas, but, for dumps, the Department of the Environment didn't consider inspection a big priority.

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THE COMMISSIONER:

(Translation) Mr. McLellan, this type of dump, the dry material dump, normally, what's accepted are things that are construction materials that are non-decomposable. And what you have told us is that, in all the places that you have seen since, it seems to be due to the decomposition of a construction material due to humidity, which caused things to be released into the air and caused all sorts of serious problems for the local population.

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So, can this be perceived as just an accident along the way, or are you aware that other degradable waste were generally brought to this dump? Tell us a bit more about the context.

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MR. ROBERT McLELLAN:

2325 (Translation) Well, I said it began to smell, because, in the summer of 2004, they emptied a big water hole to have more room for waste. And instead of pumping into another area, they pumped it on top of the heap of garbage. That shows you the lack of knowledge of the operators, because if you have substance that might have a problem with seepage, the last thing you're going to do is pour water on top of it, but, you know, that's what they did.

2330 And I say that, happily, it started to stink, because, without that, the community wouldn't have mobilized, but the problems were there right from the beginning. And we have photos that were taken by the inspectors, as I say, in 1989, 1990, 1991, photos of baby diapers, of domestic garbage, of deer hides, of dead dogs, of - there was all kinds of problems, but the point I'd like to make is that the department was aware of these problems. They gave citations to these
2335 people, but everybody knows there's money to be made in waste management.

The waste management business is very profitable. And when you have thirty (30) or forty (40) trucks a day coming in, and you're receiving maybe every six (6) months a fine of a few hundred dollars, you know it's not even as bad as a parking ticket. They consider it the cost of
2340 doing business.

And if the government doesn't take this more seriously, after a while, the operator doesn't learn any lessons from these fines. And with time, the government, in our case, they created a monster, and now they're stuck with that monster. They don't know what to do about it, and that's
2345 what cost - that's what's a shame.

I'm not just talking about the cost to the environment and to the health of citizens. What's important is what it cost to the Quebec government five (5) days before an administrative tribunal, and we're not through yet. And then, there's the lawyers' fees. There's the fees of - there's the
2350 salary of these departmental employees and so on for two (2) years, simply because of a lack of vigilance on the part of the government.

And who knows what the cost will be to the health and the environment in the future, because we don't have all of the facts on pollution, on the health problems. We look at the State
2355 of California. We look at the World Health Organization. And they're always talking about exposure, short-term exposure to chemical product, maybe up to two (2) days, but they're not talking about the long-term effects of exposure to pollution at low levels. And we'll never be able to find an engineer or a doctor who will testify, but I'll give you just one example.

2360 You know, it's starting to get warm. It's summer. And every year, the Ontario Medical Society or the Canadian Medical Association will tell us be careful, there's smog. Every year, there's six thousand (6, 000) Canadian citizens who are going to die earlier because of air pollution. So, we seem to accept that, but when it happens locally, you know, we'll never be

able to find someone who will be able to testify that your death was caused by pollution.

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So, on one hand, we accept that pollution is bad, but when it happens at the local level and we have a chance to prevent pollution, as in the case of Danford, for example, well, everybody is quiet. Everybody remains silent.

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THE COMMISSIONER:

(Translation) Was your committee in place before the accident of 2004?

MR. ROBERT McLELLAN:

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(Translation) No, it was the incident of 2004 that caused the committee to be set up, and that was the trigger.

THE COMMISSIONER:

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(Translation) So, the operation that was in place before, you say you have evidence that there were wastes there that should not have been sent to that site that were there. Could you tell us about that?

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MR. ROBERT McLELLAN:

(Translation) Well, are you asking is there evidence that there was unacceptable waste? Yes, every year since 1989, there has been that kind of waste put there.

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THE CHAIRWOMAN:

(Translation) Thank you very much; so, is anyone asking for the right to correct a brief or to correct something? Okay, well, then, maybe we should have a short rest and start up again at seven (7:00).

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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.

AND I HAVE SIGNED:

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ANNAGRET RINALDI,
Official Court Reporter.