

Drinking Water and Environmental  
Compliance Division, Northern Region  
Timmins District, Timmins Office  
Ontario Government Complex  
5520 Highway 101 East  
PO Bag 3080  
South Porcupine ON P0N 1H0  
Tel.: 705 235-1500  
Fax: 705 235-1520

Division de la conformité en matière d'eau potable  
et d'environnement, Direction régionale du Nord  
District de Timmins, bureau de Timmins  
Complexe du gouvernement de l'Ontario  
5520 Route 101 Est  
C/P service de sacs 3080  
South Porcupine ON P0N 1H0  
Tél.: 705 235-1500  
Télééc.: 705 235-1520

## DIRECTOR'S REPORT

*Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended; s.62*

**To:** The Corporation of the City of Temiskaming Shores  
Post Office Box No. 2050  
Haileybury, ON, P0J 1K0  
Attention: Airianna Leveille, Public Works Clerk

**Site location:**

New Liskeard Lagoons, Bedard Road  
City of Temiskaming Shores, District of Timiskaming  
P0J 1P0

**RE: Requirement to receive leachate from Mansteel New Liskeard Inc.'s former landfill site located in Temiskaming Shores, Ontario**

On March 22, 2018, the Ministry issued a Director's Order to Mansteel New Liskeard Inc. (Mansteel), the owner of the former landfill site at 1107 Lakeshore Road in the City of Temiskaming Shores (Mansteel Site) and to past and current directors of Mansteel, Laila Alizadeh, Grant Erlick and Arash Missaghi. The Director's Order, among other things, ordered the orderees to operate the leachate collection system so that discharge of untreated leachate to the environment does not occur and to maintain a freeboard of at least 30 cm in the leachate storage pond. The Director's Order has not been complied with.

On November 8, 2018, the Ministry wrote a letter to Uniboard Canada Inc. (Uniboard) as the prior owner of the Mansteel Site, directing it to operate the leachate pumping stations and to maintain a freeboard of 30 cm in the leachate storage pond in order to prevent the discharge of untreated leachate to the environment.

On April 20, 2020, the Ministry was advised by Uniboard that the level in the storage pond at Mansteel's leachate collection facility had reached 30 cm of freeboard and leachate was being redirected to the secondary storage pond. Uniboard informed the Ministry that the level in the secondary storage pond had reached 100 cm and was rising at a rate of approximately 5 to 7 cm per day despite operating the on-site irrigation system as much as site conditions allow.

Continued pumping to either pond could lead to over topping and discharge of leachate to the environment. If pumping leachate to the pond is stopped, this will lead to uncontrolled discharge at the pumping stations. Uniboard requested that the Ministry approach the City of Temiskaming Shores (City) to initiate the process that could allow hauling of leachate from the Mansteel storage pond to the City's New Liskeard Lagoons sewage treatment facility, if necessary, to keep the storage ponds within their designed capacity and prevent discharge of untreated leachate into the environment.

Prior to Uniboard selling the property in 2012, the City accepted leachate from Uniboard at their North Cobalt Lagoons. In the spring of 2019, the City accepted leachate from the Mansteel Site at their New Liskeard Lagoons under a Director's Direction issued by the Ministry on February 12, 2019 and at their North Cobalt Lagoons under a Director's Direction issued by the Ministry on April 25, 2019.

On April 27, 2020, the City sent information to the Ministry outlining its proposal to accept leachate originating at the Mansteel Site from Uniboard by having it deposited at their New Liskeard Lagoons. The City proposed their internal monitoring plan for the duration of acceptance of leachate from the Mansteel Site. This monitoring plan is outlined in Schedule A of this Report and is separate from the requirements under Environmental Compliance Approval (ECA) No. 9205-ANYPRW and Conditions 5, 6, 7 and 8 below.

The City's proposal assumes a maximum of eight 13,600 L loads of leachate being received per day, five days per week (Monday through Friday). The proposal is based on directing the leachate to the influent of the New Liskeard Lagoons, Cell D1, which is described in the City's ECA No. 9205-ANYPRW, at a maximum rate of one (1) truck load per hour and incorporated into the sewage treatment system.

It is anticipated that the current need for leachate hauling will depend on weather and Site conditions and may last until the end of the 2020 spring season, at which time the leachate can be managed at the Mansteel Site with on-site irrigation. A maximum of approximately 3,000 m<sup>3</sup> of leachate may require hauling and disposal in the New Liskeard Lagoons in 2020.

This Report is being issued to provide a contingency plan should on-site leachate management not be sufficient. In my opinion, it is necessary in the public interest for the City to accept at their New Liskeard Lagoons, leachate from Uniboard originating at the Mansteel Site, as a contingency measure to prevent the uncontrolled discharge of untreated leachate to the environment from the Mansteel Site. Therefore, pursuant to my authority under section 62 of the *Ontario Water Resources Act*, I hereby direct the City to accept the leachate from Uniboard originating at the Mansteel Site into Cell D1 at the New Liskeard Lagoons owned by the City until June 19, 2020, subject to the conditions that follow:

1. Except as otherwise provided by these conditions, the City shall operate and maintain the works approved under Environmental Compliance Approval (ECA) No. 9205-ANYPRW per the conditions of the ECA.

2. Upon receipt of the first load of leachate into Cell D1, the City shall notify the Director in writing. When the City becomes aware that Uniboard no longer has need to haul leachate from the Mansteel Site, the City shall notify the Director in writing.
3. Leachate shall only be directed to Cell D1 unless otherwise authorized by the Director. No leachate from the Mansteel Site shall be directed or redirected to the New Liskeard Lagoons treatment works unless it is done in accordance with:
  - Schedule E – Limited Operational Flexibility of ECA No. 9205-ANYPRW,
  - Authorization granted by an amendment to ECA No. 9205-ANYPRW,
  - Other Ministry approval, or;
  - Ministry Report.
4. The City shall notify the Director immediately should it become aware of the necessity for leachate to be received by the City beyond June 19, 2020.
5. The City shall record the number of loads of leachate and the volume of each load received by the City, for the duration of the time the leachate is delivered and as applicable, until the leachate is no longer being received.
6. In addition to the requirements under ECA No. 9205-ANYPRW, for the duration of the time the leachate from the Mansteel Site is directed to the New Liskeard Lagoons plus the annual average retention time for the New Liskeard Lagoons sewage treatment system, the City shall incorporate the following list of parameters into the final effluent monitoring program required under ECA No. 9205-ANYPRW (i.e., bi-weekly):
  - (a) Formaldehyde, total resin and fatty acids, dehydroabietic acid, arsenic, iron, cobalt and zinc.
7. No additional effluent parameters are imposed on the final effluent monitoring program required under ECA No. 9205-ANYPRW. The laboratory detection limits for analyses for the purposes of this Report shall be below the Provincial Water Quality Objectives (PWQOs) and Interim PWQOs for each parameter listed in Condition 6(a) above. Sampling and analysis results shall be reported to the Director and maintained as outlined in Conditions 11 and 12 below.
8. The parameters listed in Condition 6(a) above shall be incorporated into the effluent monitoring program required under ECA 9205-ANYPRW for a minimum of one (1) bi-weekly monitoring event immediately prior to introduction of the leachate from the Mansteel Site; all bi-weekly monitoring events for the duration of leachate acceptance plus the annual average retention time for the New Liskeard Lagoons sewage treatment system; and for a minimum of one (1) bi-weekly monitoring event thereafter.

9. Pursuant to Condition 10 below, if at any time during acceptance of leachate from the Mansteel Site, there is a 5% or greater increase in the concentration of any parameter observed as a result of the monitoring plan outlined in Schedule A of this Report, the City may, in consultation with the Director, review the available monitoring data and decide whether to cease acceptance of leachate from the Mansteel Site.
10. For the purposes of Condition 9 above, a 5% increase is defined as an increase in the concentration of a parameter at a monitoring location as outlined in Schedule A of this Report that is 5% greater than the concentration of that same parameter at that same location observed in the previous monitoring event.
11. The City shall prepare and submit a monthly report to the Director summarizing the information recorded in conditions 5, 6, 7 and 8 above. The first report is due 3 days following the last day of the calendar month in which leachate from the Mansteel Site is accepted and will continue to be submitted until all results required under Condition 8 above have been provided to the Director in a monthly report.
12. The City shall retain for a minimum of 3 years from the date of their creation all records related to or resulting from the above conditions as well as any records submitted to the Owner by Uniboard.

If you have any questions, please contact Erin Spires, Water Inspector, Ministry of the Environment, Conservation and Parks (MECP) – Drinking Water and Environmental Compliance Division (DWECD), Timmins District, North Bay Area Office at (705) 358-1316.

## REQUEST FOR HEARING

You may require a hearing before the Environmental Review Tribunal (Tribunal), if, within fifteen (15) calendar days from the deemed date of service of this Report, you serve written notice of your appeal on the Tribunal and the Director. Your notice must state:

- (a) the portion(s) of the Report in respect of which the hearing is required; and
- (b) the grounds on which you intend to rely at the hearing.

Except with leave of the Tribunal, you are not entitled to appeal a portion of the Report or to rely on a ground that is not stated in the notice requiring the hearing. Unless stayed by the Tribunal, the Director's Report remains in effect from the date of service until as specified in the Report.

Written notice requiring a hearing can be served upon:

The Secretary  
Environmental Review Tribunal  
655 Bay Street, 15th Floor  
Toronto ON  
M5G 1E5  
Fax: (416) 326-5370  
Email:  
[ERTTribunalsecretary@ontario.ca](mailto:ERTTribunalsecretary@ontario.ca)

and The Director  
Ontario Water Resources Act,  
s.61 and 62  
Ministry of the Environment,  
Conservation and Parks  
5520 Highway 101 E  
South Porcupine, ON, P0N 1H0  
Fax: (705) 235-1520  
Email: [carroll.leith@ontario.ca](mailto:carroll.leith@ontario.ca)

Further information on the Tribunal and requirements for an appeal can be obtained directly from the Tribunal by:

Tel: (416) 212-6349 or 1(866) 448-2248  
TTY 1-800-855-1155 via Bell Relay  
Fax: (416) 326-5370 or 1(844) 213-3474  
<http://elto.gov.on.ca/contact/environmental-review-tribunal/>

## FOR YOUR INFORMATION

The following is for your information:

Service of the documentation referred to above can be made personally, by mail, by fax, by commercial courier or by email in accordance with the OWRA and O. Reg 226/07, Service of Documents regulation made under the OWRA. Further information can be obtained from e- Laws at <https://www.ontario.ca/laws>. Please note that choosing service by mail does not extend any of the above-mentioned timelines.

Unless stayed, this Report is effective from the date of service. Non-compliance with the requirements of this Report constitutes an offence.

The requirements of this Report are minimum requirements only and do not relieve you from complying with the following:

- (a) any applicable federal legislation,
- (b) any applicable provincial legislation or requirements that are not addressed in this Report, and
- (c) any applicable municipal law.

The requirements of this Report are severable. If any requirement of this Report or the application of any requirement to any circumstances is held invalid, the application of such requirement to other circumstances and the remainder of the Report are not affected.

The procedures and other information provided above are intended as a guide. The legislation and/or regulations should be consulted for additional details and accurate reference.

Issued at **Timmins**, Ontario this 1st day of May 2020

Original signed by Carroll Leith

Carroll Leith  
Director, Ontario Water Resources Act s. 62  
District Manager, Timmins District  
Drinking Water and Environmental Compliance Division  
Ministry of the Environment, Conservation and Parks

cc: Christopher W. Oslund, City Manager, City of Timiskaming Shores  
Douglas Walsh, Director of Public Works, City of Temiskaming Shores  
Steve Burnett, Technical and Environmental Compliance Coordinator, City of Temiskaming Shores  
Erin Spires, Water Inspector, MECP – DWECD, Timmins District, North Bay Area Office  
Janet Recoskie, Water Compliance Supervisor, MECP – DWECD, Timmins/North Bay  
Simon Haslam, District Engineer, MECP – DWECD, Timmins District  
Lauri St-Jacques, Senior Environmental Officer, MECP – DWECD, North Bay Area

### Schedule A: City of Temiskaming Shores Internal Monitoring Plan

**Table A** summarizes the monitoring plan proposed by the City of Temiskaming Shores for the purposes of this Direction. The sampling is proposed to be conducted on a weekly basis for the duration of leachate acceptance, including sampling locations and parameters as outlined in **Table A**.

**Table A:** City of Temiskaming Shores Internal Monitoring Plan for the New Liskeard Lagoons

Sample Location	Formaldehyde	Resins & FA	Dehydroabietic Acid	Metals (As, Fe, Co, Zn)	pH	Temp.	TSS	TP	BOD5	TKN	cBOD5	TAN
Raw Leachate	X	X	X	X	X	X	X	X	X	X		
Cell D1	X	X	X	X	X	X	X	X	X	X		
Cell D2	X	X	X	X	X	X	X	X	X	X		
Cell A1	X	X	X	X	X	X	X	X	X	X		
Cell A2	X	X	X	X	X	X	X	X	X	X		
Effluent	X	X	X	X	X	X	X	X			X	X