



**Infrastructure & Development Services Division**  
789 Broadway Street, Box 3000  
Wyoming, ON N0N 1T0

Telephone: 519-845-0801  
Toll-free: 1-866-324-6912  
Fax: 519-845-3872

April 9, 2024

York1 Environmental Waste Solutions Ltd.  
5090 Commerce Boulevard  
Suite 200  
Mississauga, ON L4W 5M4

Submitted via Environmental Registry of Ontario

**RE: Summary of Comments Related to York1 ECA Amendment Number 019-8313**

The County of Lambton, with the services of GHD, has reviewed the Environmental Compliance Approval (ECA) amendment application (ERO number 019-8313) and associated documentation submitted by York1 Environmental Waste Solutions Ltd. as general partner for and on behalf of York1 Environmental Waste Solutions LP (“York1”) on February 26, 2024. We understand that York1 is proposing to amend their existing landfill ECA at 29831 Irish School Road Dresden, ON (herein referred to as the “Site”).

It is the County’s understanding that the existing waste disposal ECA is for an 8-hectare landfill that accepts wastes from the from the Town of Dresden, within the Municipality of Chatham-Kent. The application for ECA amendment to the landfill is to allow a maximum fill rate of 1,000 tonnes per day, or 365,000 tonnes annually. It proposes a maximum theoretical capacity of 1,620,000 cubic metres for the 8-hectare landfill. The amendment also proposes to excavate the existing fly ash that has been landfilled on site to deposit it into newly constructed engineered cells. The amendment seeks to allow operations at the landfill 24 hours per day, 7 days per week, 365 days per year.

The County of Lambton is submitting the following comments regarding the noted ECA amendment application.

**Comments related to O. Reg. 50/24**

We reviewed the ECA amendment application within the context of O. Reg. 50/24: Part II.3 Projects – Designations and Exemptions under the Environmental Assessment Act. York1 has stated that the current service area for the landfill is the Town of Dresden. Does York1 intend to limit the source of the accepted wastes to the Town of Dresden? If

the service area is changing from what is currently outlined in the existing ECA, will an environmental screening under O. Reg. 50/24 be triggered?

We note that the Ministry of the Environment, Conservation and Parks has proposed to designate the landfill site and waste transfer and processing expansion under the Environmental Assessment Act to require a comprehensive environmental assessment. A comprehensive environmental assessment would allow for a more fulsome assessment of the potential impacts of the landfill re-development and associated transfer station.

### **Comments related to the ECA Amendment Application**

Upon review of the cover letter submitted by York1, we note that additional hydrogeological work is outstanding, including a survey of residential wells located in the vicinity of the Site. York1 stated that this work will be completed “on an ongoing basis”. Can York1 please clarify as to why this work wasn’t completed prior to the submission and public comment period for the ECA amendment application so that interested parties, including residents and the County of Lambton, could review all hydrogeological information for the Site? What is the timeline for completing this work and will the results be made available for public review?

The amendment application proposes to allow a maximum fill rate of 1,000 tonnes per day. Is this amount on an annual average basis, or will this be the maximum fill rate for each calendar day?

We note that York1 has submitted three separate applications for ECAs or ECA amendments for the Site (ERO numbers 019-8205, 019-8313, and 019-7917). We understand from supporting documents that York1 intends to apply for air and noise ECAs for the site in the future. It is difficult to assess potential impacts to the Site and surrounding community, including impacts to Lambton County services, when applications are submitted separately. A comprehensive ECA application is particularly important for the aspects of the separate ECA applications that are operationally dependent on each other, such as the stormwater management pond. Would York1 consider submitting one comprehensive ECA application encompassing all of the proposed changes to the site and their associated environmental approvals?

We noticed discrepancies between the public-facing materials (i.e. project website and public open house slides) prepared by York1 and the supporting documentation submitted to the Ministry of Environment, Conservation, and Parks. Will York1 be updating their public-facing materials to reflect the information provided in the technical documentation submitted for the ECA amendment application?

There are several First Nations and the Métis Nation of Ontario Region 9 within the vicinity of the Site. Has York1 contacted any of these Indigenous Nations and communities to confirm whether they have an interest in providing feedback on the proposal?

Section 3.3 of the ECA application states that the project will not impact a water body, however, a stormwater management pond is proposed to be located adjacent to Molly's Creek and portions of the site are within the St. Clair Conservation Authority Regulated Area. Can York1 please confirm that this assessment is correct, and there will be no impacts to waterbodies from this project?

Has York1 completed a Stage 1 archaeological assessment of the Site to confirm that no further archaeological potential remains for any portion of the Site that will be developed as a part of this ECA amendment application?

### **Comments related to available background information**

The Design and Operations Plan (D&O Plan) for the proposed landfill site states in Section 6.2 that the contaminating lifespan of the landfill is approximately 25 years for a leachate generation rate of 12,000 m<sup>3</sup>/year/m<sup>2</sup>. In Section 12.2, the D&O Plan states that the contaminating lifespan of the landfill cannot be accurately calculated at this time. Can York1 please clarify whether the contaminating lifespan can be calculated at this time, and if so, can background information be provided to demonstrate how it has been calculated?

The current plans for the site do not appear to include a landfill gas collection system. The D&O Plan notes that the landfill will not accept organic materials but recommends a Landfill Gas Emission Study in conjunction with an Environmental Assessment. Can York1 please confirm whether they intend to complete the study recommended by their consultant, and whether they commit to installing a landfill gas collection system if the study recommends one?

The D&O Plan notes that the maximum proposed hours of operation are Monday to Sunday from 7:00 am – 7:00 PM, except for statutory holidays. The ECA amendment application indicated that York1 is seeking to extend operations of the landfill to 24 hours per day and 7 days per week. The current Chatham-Kent noise by-law prohibits sound resulting from loading, unloading, delivering, or otherwise handling containers, products, materials, or refuse on Monday to Saturday from 2300 to 0700 and all day on Sunday and statutory holidays. Does York1 intend to seek a by-law amendment for their operations, or will the operations be limited to comply with the existing by-law? Will York1 consider updating the ECA amendment application and/or the D&O Plan to list a consistent set of operating hours for the site?

York1's consultant has provided preliminary information about the potential vehicle traffic expected to enter and leave the Site each day. More detailed information is required to properly assess and comment on the potential impacts to surrounding roads, including Lambton County roads, from a threshold increase in vehicle traffic. Is York1 preparing a Transportation Impact Assessment (TIA) for the proposed operations at the Site that can be shared with Lambton County? We suggest that the TIA should examine existing traffic, including any seasonal variations, to/from the facility for all proposed

operations onsite and over the design life of the facility. The TIA should review the capacity of the existing road network, current and future traffic patterns with background growth, including vehicle, pedestrian, and cyclist movements. The report should include a breakdown of the assumed inbound and outbound waste routes to and from the facility and specifically the expected traffic volumes utilizing and routes on County of Lambton roads. The report should include a level of service analysis for all roadways, intersections, and the site entrance and shall itemize any roadway improvements (i.e. turning lanes, queue lengths, acceleration/deceleration lanes, etc.) required as a result of the development. York1 should also assess the potential impacts of noise, dust, tracking of mud, and vehicle exhaust from increased truck traffic on surrounding roadways, residents and other land users.

### **Comments related to consultation**

We noted that members of the public expressed a great deal of interest in York1's proposal, and both open houses were widely attended. Has York1 considered hosting additional open houses, including a virtual open house, to reach additional members of the local community about this proposal? We would also like to understand whether York1 has consulted with the St. Clair Region Conservation Authority about potential works within the regulated area or floodplain at the Site.

The County of Lambton notes that the lack of specific, detailed, and consistent information available via the publicly facing materials and open houses throughout the review process has created unnecessary confusion and speculation among stakeholders and the surrounding community. Will York1 be creating a community engagement, outreach and communication plan to receive and address public and municipal concerns?

### **Closing**

The above items are presented to identify specific technical questions that remain outstanding or unknown regarding this amendment application. In addition, further items may be identified as the missing or conflicting information is released.

The proposed operations at the Site will have a clear and direct impact on public services provided by the County of Lambton and associated local municipalities. The current information available is not sufficient to conduct a complete analysis of municipal and public impacts resulting from the submitted amendment. In addition, the piecemeal submission of this application in conjunction with other submissions relating to the Site obfuscates the full and compounding nature of each of the Site components.

Lastly, it is requested that York1 conduct additional public outreach and municipal consultation to adequately recognize, compile, and address the resulting impacts from the changes noted in the ECA amendment application. This is particularly relevant due to the magnitude of potential waste and traffic volumes included as part of the amendment, as compared to observed historical activity at the Site.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Cole', with a stylized flourish at the end.

Jason Cole, P.Eng.  
General Manager