



environmental
defence

April 11, 2024

Client Services and Permissions Branch
135 St Clair Ave West, 1st floor
Toronto, On
M4V 1P5

RE: ERO 019-8313 York1 Environmental Waste Solutions Ltd., as general partner for and on behalf of York1 Environmental Waste Solutions LP

We oppose York1's application for the amendment to ECA No. A021304 to re-open and operate a dormant 8-hectare landfill for the disposal of non-hazardous solid construction and demolition waste from industrial, commercial, institutional, and municipal sectors, due to the risk of severe harm to species at risk, ground and surface water quality as well as the potential impact on community health.

On March 15, 2024, Andrea Khanjin, Minister of the Environment, Conservation and Parks initiated a comprehensive Environmental Assessment under the Environmental Assessment Act for the proposed dump site. After the announcement was made we expected the proposed amendments to ECA No. A021304 to be canceled and are confused by the fact that this ERO posting is still active.

Potential environmental impacts on water and species in the area

If approved, up to 1,000 tonnes per day, or 365,000 tonnes annually, of construction and demolition waste will be stored on an 8-hectare landfill site adjacent to Molly's Creek, a naturally fed, spring-origin creek that flows directly into the eastern branch of the Sydenham River. This river is a biological hotspot home to at least 33 species at risk. Toxic substances and chemicals such as phthalates from PVC, mercury from switches, and asbestos from demolition among other contaminants found in older buildings could potentially leach into Molly's Creek and eventually transfer into the Sydenham River. This would contaminate critical habitats and threaten some of Ontario's rarest species. These include the Eastern spiny softshell turtle and Salamander mussel. Additional loss of individuals and suitable habitat would push them closer towards the brink of extinction. Contamination of the river could also have impacts beyond those indicated for species at risk. Game fish in the river and in the Lake St. Clair/Lake Erie watershed



would also consume chemical contaminants that could leach from this dump and through bioaccumulation make their way throughout the ecosystem and into human food.

Potential impacts on ground and surface water

The proposed landfill could have significant impacts on groundwater quality. Residents living in proximity to the landfill rely on domestic water wells that are located approximately 500 meters from the proposed site. Leachate from construction and demolition waste stored in the landfill could potentially make its way into groundwater and contaminate residential drinking water with toxic chemicals that pose a potential risk to human health. York1 states that by building a new, engineered landfill along with the existing clay and two impermeable layers in the ground, seepage will not occur and the groundwater will be protected. However, the depth of the clay in the area where the proposed landfill will be developed is not known so how can we be certain that groundwater is protected?

There is also the concern surrounding a decommissioned water well located on the proposed site property. Though the well has been capped off, some of the well casing may still be in the ground. This may open up another pathway for leachate to enter into the groundwater. A number of items are still outstanding including but not limited to: a survey of the residential wells and additional hydrogeological work.

Environmental Defence is concerned as well by York1's proposed solution to a lack of municipal infrastructure to support leachate management. In the same way that stormwater management ponds often result in higher runoff temperatures into cold water creeks during summer rainfall events, the leachate lagoon connected to two stormwater ponds next to Molly's creek could result in leachate eventually flowing into Molly's creek via the stormwater ponds. As a result of the significant unknowns with York1's proposal, we encourage the Ministry to refuse this permit.



We thank you for the opportunity to comment on this proposal and ask that you reject the application to amend Environmental Compliance Approval No. A021304 for an 8-hectare landfill for the disposal of non-hazardous solid construction and demolition waste from industrial, commercial, institutional, and municipal sectors, located at 29831 Irish School Road in Dresden, Ontario.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Gray', on a light gray rectangular background.

Tim Gray, Executive Director
Environmental Defence Canada