



August 5, 2009

Bruce Hawkins, Manager
Ministry of the Environment
Kingston Regional Office
Technical Support Section
Box 22032
1259 Gardiners Road
Kingston ON
K7M 8S5

**Re: Review of Reports Prepared by XCG Consultants Ltd.
Regarding the Richmond Landfill, Napanee, Ontario**

Dear Mr. Hawkins,
Bruce

Waste Management of Canada Corporation (WMCC) has completed our review of the following documents provided to the Ministry of the Environment (MOE) by XCG Consultants Ltd. (XCG) on behalf of the Chief and Council of the Mohawks of the Bay of Quinte (MBQ) in relation to our Richmond Landfill located in Napanee, Ontario:

- Peer Review, Waste Management of Canada, Richmond Landfill Site, Ontario, Closure Plan, dated September 13, 2007.
- Review of Draft Amendment to Provisional Certificate of Approval, Waste Disposal Site, Richmond Landfill Site, Ontario, dated May 29, 2009.
- Surface and Groundwater Sampling, Richmond Landfill Vicinity, dated May 29, 2009.
- Odour Modelling, Richmond Landfill Vicinity, dated May 29, 2009.

We acknowledge and appreciate the efforts taken by XCG on behalf of the Chief and Council of the MBQ to provide valuable input in relation to these matters. This letter provides our response to their comments regarding the Closure Plan Peer Review and Review of Draft Amendment to Provisional Certificate of Approval. Our review of the Surface and Groundwater Sampling and Odour Modeling are provided separately.

In preparing this letter, we referred to previous correspondence that we provided to the MOE regarding our Application for Approval of Closure Plan for the Richmond Landfill Site dated September 28, 2008, March 23, 2009, and April 24, 2009. We also referred to previous correspondence we provided to the MOE regarding Draft Notice of Amendment Re: Closure Plan, Richmond Landfill Site dated June 1, 2009.

It should be noted that we have focused our comments on XCG's on Review of the Draft Amendment to Provisional Certificate of Approval dated May 29, 2009 since it addresses relevant comments provided in XCG's Closure Plan Review dated September 13, 2007.

Our response to XCG's comments on the Review of the Draft Amendment to Provisional Certificate of Approval of May 29, 2009 are as follows:

Condition 6a) – The MOE has provided a specific requirement for the final cover soil to have a hydraulic conductivity of 1×10^{-8} m/s. This specification is intended to address the issues of minimization of potential leachate seeps, enhancement of operating conditions for landfill gas collection, and need for synthetic cover material. In regards to the final maximum slope of our landfill, we have constructed our landfill in accordance with the Certificate of Approval and MOE has considered the 3.5 horizontal to 1 vertical slope to be in compliance.

Condition 6b) – The approval of the Quality Assurance and Quality Control Plan that we develop following the approval of the Draft Amendment to the Provisional Certificate of Approval rests solely with the MOE. However, we defer to the MOE in terms of whether or not they choose to consult with other parties in the review of our Quality Assurance and Quality Control Plan.

Condition 8a) – The items identified in this comment all relate to the environmental monitoring plan (EMP) submitted with the Closure Plan. The Draft Amendment to the Certificate of Approval requires that a revised EMP be submitted for review and approval. The items identified in this comment will be addressed in the submittal of the revised EMP, as appropriate.

Conditions 14 - 18 & 20) – The changes made to financial assurance between Table 8.1 of the 2007 Closure Plan and Condition 20 of the Draft Amendment are based upon the MOE's 2005 Guidelines for Financial Assurance.

Condition 19) - We will develop a contaminating life estimate in consultation with the MOE. However, we defer to MOE in terms of whether or not they choose to consult with other parties in the review of our contaminating site life estimate.

Conditions 60 & 61) – We sample surface water parameters as per Table 2 of Provisional Certificate of Approval # 5268-7E8LJW prior to discharge. We have conducted voluntary acute toxicity testing on surface water for our southwest storm pond as further verification of the storm water quality prior to discharge. We have only conducted release of surface water from our southwest pond on two occasions since the issuance of Provisional Certificate of Approval # 5268-7E8LJW in August 2008, which followed receipt of confirmation of survival rate of rainbow trout and daphnia magna (i.e., after November 18, 2008 and March 9, 2009). Sampling and testing of surface water from our southwest pond is done in compliance with Conditions set-out in Provisional Certificate of Approval # 5268 – 7E8LJW, and the storm pond has

been designed with a weir system and shut-off valves to limit turbidity that would facilitate movement of potential floating contaminants and agitation of accumulated sediments. In addition, the surface water sampling program will be re-addressed as part of the revised EMP. The southwest storm pond has been approved by the MOE (i.e., Provisional Certificate of Approval # 5268 – 7E8LJW) to meet the 1:100 year storm water event and ongoing operation and management of the southwest storm pond is conducted in accordance with Conditions set-out in Provisional Certificate of Approval # 5268 – 7E8LJW.

Condition 66) – The approval of the Operations and Maintenance Manual (O&M) that we develop following approval of a Draft Amendment to Provisional Certificate of Approval rests solely with the MOE. However, we defer to the MOE in terms of whether or not the MOE chooses to consult with other parties in their review of our O&M.

Condition 75) – The approval of the cleaning and inspection of our leachate management system that we develop following an approval of the Draft Amendment to the Provisional Certificate of Approval rests solely with the MOE. However, we defer to the MOE about whether or not they choose to consult with other parties in their review of our inspections.

Condition 81) – Haulage of leachate to sewage treatment plants has been approved by the MOE and a Provisional Certificate of Approval is in place that allows the spray irrigation of leachate that may be implemented as a contingency action. The Draft Amendment to the Provisional Certificate of Approval includes Conditions to address leachate collection, management, and contingency matters. However, we defer to the MOE regarding whether or not they choose to consult with other parties in their review of our leachate collection, management, and contingency systems.

Condition 84) - The Draft Amendment to the Provisional Certificate of Approval includes Conditions to address leachate collection, management, and contingency matters. However, we defer to the MOE regarding whether or not they choose to consult with other parties in their review of our leachate collection, management and contingency systems.

Condition 88) - The Draft Amendment to the Provisional Certificate of Approval includes Conditions to address landfill gas collection, management, and contingency matters. However, we defer to the MOE regarding whether or not they choose to consult with other parties in a review of our landfill gas collection, management and contingency systems.

Condition 115) – Approval of the Groundwater and Surface Water Impact Contingency Plan that we develop following approval of a Draft Amendment to Provisional Certificate of Approval rests solely with the MOE. However, we defer to the MOE as to whether or not the MOE chooses to consult with other parties in their review of our plan.

Condition 123) – The approval of the Emergency Response Plan (ERP) that we develop following approval of the Draft Amendment to Provisional Certificate of Approval rests solely with the MOE. However, we defer to the MOE as to whether or not they choose to consult with other parties in their review of our ERP.

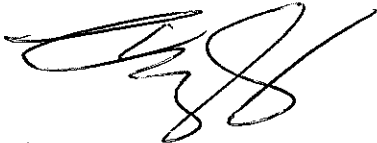
Condition 126) – The Draft Amendment to the Provisional Certificate of Approval includes the Conditions to appropriate closure of our landfill at the time it reaches approved landfill contours. However, we defer to the MOE as to whether or not they choose to consult with other parties regarding our closure plan implementation.

Schedule D) – We are monitoring landfill gas in accordance with relevant requirements, including our Provisional Certificate of Approval # 1355-5LRN5N. The Draft Amendment to the Provisional Certificate of Approval includes Conditions to address landfill gas collection, management and contingency matters. However, we defer to the MOE as to whether or not they choose to consult with other parties regarding our landfill gas monitoring program.

As we have indicated in many of our comments, there may be cases where our consent is requested for the MOE's consultation with other groups. Rest assured that we expect to grant that consent, except in extraordinary cases where our company's interests may be materially compromised.

We trust that these comments are clear. Please contact us if you have any questions or concerns regarding these comments and our submission.

Yours very truly,
Waste Management of Canada Corporation

A handwritten signature in black ink, appearing to read 'Tim Murphy', is written over a white background.

Tim Murphy
Project Manager

Cc: Gayla Campney, Director, Eastern Region, MOE
Trevor Dagilis, Manager, Kingston District, MOE