

Schedule 2 to the Interim Minutes of Settlement

**Richmond Sanitary Landfill Site
081-12459-00**

**Public Notification Plan
February 2013**

**Prepared for:
Waste Management of Canada Corporation
1271 Beechwood Road
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Table of Contents

1.0	INTRODUCTION	2
1.1	Background	2
1.2	Purpose and Scope	2
2.0	GENERAL REQUIREMENTS FOR PUBLIC NOTIFICATION	3
2.1	Persons Entitled to Notification from WM	3
2.2	Timing and Types of Notification	4
2.3	Content of Notification from WM	4
2.4	Presumption in Favour of Public Notification	5
3.0	Emergency Situations	6
4.0	REVIEWING AND UPDATING THE PUBLIC NOTIFICATION PLAN	6

1.0 INTRODUCTION

1.1 Background

Waste Management of Canada Corporation's (WM) Richmond Landfill site is located within Part of Lots 1, 2, and 3, Concession IV, in the Town of Greater Napanee. The landfill site consists of a 16.2 hectare waste disposal landfill site within a total site area of 138 hectares, and operates under Amended Environmental Compliance Approval (ECA) No. A371203, issued January 9, 2012, with subsequent amendments. On June 30, 2011, the Richmond Landfill ceased to accept waste for final disposal, as dictated by Condition 4.4 of the ECA. On January 9, 2012, the waste and recycling drop off facility, which was operational at the site prior to June 30, 2011, and ceased operations on June 30, 2011 as part of the closure plan, was approved by the Ministry of Environment (MOE) to resume operations, subject to the terms and conditions outlined in the ECA.

As part of amendments made to the landfill's ECAs in recent years, the MOE requested WM to develop and submit contingency plans for approval pertaining to the following landfill infrastructure items:

- "Leachate Collection System Contingency Plan";
- "Landfill Gas Collection System Contingency Plan";
- "Memorandum - Groundwater and Surface Water Contingency Plan";
- "Environmental Monitoring Plan - WM Richmond Landfill" (to be read in conjunction of the Memorandum on Groundwater and Surface Water Contingency Plan); and
- "Stormwater Contingency and Remedial Action Plan".

WM has submitted plans for the aforementioned systems, and in the event of a failure occurring in the infrastructure, will take action to develop and implement detailed plans as necessary. The above-noted plans identify triggers for contingency plan implementation and where such triggers occur, then public notification shall be provided in accordance with this plan.

1.2 Purpose and Scope

The purpose of this public notification plan is to set out clear procedures for providing timely and adequate notice by WM to "interested persons", as defined in Section 2.0 of this plan, of the occurrence of any of the following situations at the Site:

- the spill of a pollutant within the meaning of Part X of the *Environmental Protection Act* (EPA);

- compliance point monitoring results on-Site or off-Site which may indicate new exceedances of any provincial regulatory standards or guidelines regarding groundwater or surface water quality;
- fires or explosions at the Site;
- the triggering of any contingency plans under this ECA; or
- the existence of any other upset condition, mechanical breakdown, maintenance activity or other operational event resulting in the discharge of a contaminant into the natural environment which causes or may cause an adverse effect as defined in the EPA.

For the purposes of this plan "compliance point monitoring results" means analytical results from testing conducted at groundwater or surface water sampling points used by WM or the MOE to determine Site compliance with the EPA, regulations, ECA and applicable MOE policies and guidelines. Without limiting the generality of the foregoing, these compliance points include the monitoring wells and surface water stations on or near the Site as identified in the Environmental Monitoring Plan required to be prepared pursuant to Condition 8.5.

The objectives of this plan are as follows:

- to comply with the condition listed in the ECA regarding the provision of a public notification plan;
- to identify the methods in which WM will notify the "interested persons" identified in the ECA condition of the situation; and
- to provide sufficient information for the regulatory reviewers to be satisfied that the condition has been satisfied.

This document is submitted in accordance with Condition 9.5 of ECA No. A371203.

2.0 GENERAL REQUIREMENTS FOR PUBLIC NOTIFICATION

2.1 Persons Entitled to Notification from WM

Where there is an occurrence of any of the situations listed in Section 1.2 of this plan, WM shall provide timely and adequate notification to the following "interested persons":

- property owners and residents within three (3) kilometres of the Site;
- the Public Liaison Committee (PLC);

- the Town of Greater Napanee;
- the Township of Tyendinaga;
- the Town of Deseronto;
- the Mohawks of the Bay of Quinte;
- the Chair of Concerned Citizens' Committee of Tyendinaga and Environs (and Chair of Technical Committee);
- Quinte Conservation;
- the District Manager; and/or
- those interested persons who request WM to notify them about occurrences or contingency plans regarding the Richmond Landfill.

Where there is an occurrence for which notification is required to be given pursuant to this Plan and where such occurrence may cause an adverse health effect, notice of such occurrence shall also given to the following persons:

- County of Hastings Medical Officer of Health;
- County of Lennox and Addington Medical Officer of Health;
- Medical Officer of Health, Health Canada; and
- Department of Fisheries and Oceans.

2.2 Timing and Types of Notification

In all situations described in Section 1.2 of this plan, WM shall, as soon as reasonably practicable, post the required notification on the WM website and email the required notification to all interested persons for whom WM has an email address. WM shall collect and maintain a list of email addresses for all interested persons who are entitled to, or who request, notification under this plan.

Once a notification requirement is triggered under this plan, WM shall, within 36 hours, provide additional public notification through appropriate verbal, written, or electronic means, which may include:

- door-to-door contact or telephone call;
- written notice, newsletter, or mailout delivered personally;
- advertisement in local newspapers; or
- advertisement, or public service announcement, on local radio or television stations.

Nothing in this plan relieves WM of its statutory obligation to comply with reporting duties imposed under the EPA, other applicable laws and regulations, or other legal requirements.

2.3 Content of Notification from WM

The notification provided by WM to interested persons under this plan shall, at a minimum, contain the following information:

- a description of the reason (s) for issuance of the notice;
- an estimate of the likely extent, duration and potential environmental or human health effects of the occurrence which triggered the notice requirement;
- if available, a summary of the corrective action or remedial measures proposed or undertaken by WM to address the occurrence and to prevent, minimize or mitigate environmental or human health effects;
- if available, a summary of the follow-up measures or further monitoring proposed or undertaken by WM in relation to the occurrence or its environmental and human health effects; and
- the name, mailing address, telephone number, and email address of WM's representative who is responsible for issuing the notice and responding to public inquiries about it.

A copy of the type(s) of notification, along with a distribution list indicating the recipient and the date on which the type(s) of notification was posted, emailed or delivered, shall be submitted by WM to the MOE Director and District Manager to ensure compliance with the public notification plan.

In the event that the occurrence, including related corrective action or remedial measure, is ongoing, WM shall provide updates whenever there is a material change in status, remedial plans, or progress, to interested persons in a manner, form, and content acceptable to the MOE Director. Throughout the process, WM will be available to address any concerns that residents may have in relation to the Richmond Landfill. WM's Richmond Landfill website will also be routinely updated with appropriate information in the event that a situation has occurred or is continuing.

All notices issued under this plan within a calendar year will be summarized and discussed by WM in the Annual Report required under Conditions 14.2 and 14.3 of the ECA.

2.4 Presumption in Favour of Public Notification

In the event that there is disagreement or uncertainty regarding the commencement of an occurrence or its potential effects upon the environment or human health, WM shall take a precautionary approach by providing the notification required under this plan.

3.0 Emergency Situations

The public notification required under Section 2.0 of this plan shall generally be issued by WM before any detailed contingency measures are developed, submitted for MOE review or approval, and implemented in relation to the Richmond Landfill. In emergency situations, however, WM shall provide public notification to interested persons by electronic means if WM is undertaking any necessary interim steps, preventative measures or remedial actions to address triggering events which:

- impair or endanger the health and safety of any person;
- harm or may create serious risk of harm to the environment; or
- injure or damage property, or create serious risk of injury or damage to property.

4.0 REVIEWING AND UPDATING THE PUBLIC NOTIFICATION PLAN

On or before January 31, 2015, and every two years thereafter, WM shall formally review this plan and, where appropriate, WM may prepare and submit proposed revisions to this plan to ensure that it is effectively fulfilling the notification purposes of the plan, as described in Section 1.0.

In conducting this formal review, WM shall consult with the interested persons described in Section 2.0 of this plan, and shall submit any proposed revisions to the plan to the MOE Director for review and approval. WM's submission shall include copies of any written comments received from interested persons during the formal review of the plan.

Interested persons, and other stakeholders, are always welcome to contact WM with any questions or concerns about the Richmond Landfill.

Respectfully submitted:

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