



**Campbell River Environmental Committee**

CREC, PO Box 20092 STN. A, Campbell River, B.C., V9W 7Z5

January 8, 2018

Dear Honourable Minister George Heyman,

Thank you for your response of November 27, 2017.

The Campbell River Environmental Committee (CREC) is concerned with the medical waste, including needles and gloves the compliance inspector found deposited at Upland Excavating Ltd.'s (Upland's) site. Medical waste is not permitted in Upland's existing permit nor in the applied for Operational Certificate (OC). **Given that the compliance report provides a picture of this waste, why did the report describe it as "possible medical waste" and "compliance to be determined?"** In addition to what can be seen, it is not known how much may have been buried or where exactly it is at Upland's site.

The definitions I researched name sharps (needles) and gloves as bio-medical waste.

[https://en.wikipedia.org/wiki/Biomedical\\_waste](https://en.wikipedia.org/wiki/Biomedical_waste)

Biomedical Waste in a MOE British Columbia Report names needles called sharps as Biomedical waste.

<http://a100.gov.bc.ca/pub/eirs/finishDownloadDocument.do;jsessionid=JwLghRrchn1YRxNcTsYs7QCNTGhKrxYZQr7YSy9ntL1JcLxT1yT0!2073860296?subdocumentId=3225>

Bio-medical waste is identified as hazardous waste in the MOE Hazardous Waste Legislation. (attached)

<https://www2.gov.bc.ca/gov/content/environment/waste-management/hazardous-waste/legislation-regulations>

Leachable toxic waste is identified as hazardous waste. Coal tar creosote is toxic by MOE definition and is leachable in soil and water.

The Agency for Toxic Substances and Disease registry, The International Agency for Research on Cancer (IARC) has identified that coal tar is carcinogenic to humans. (pg. 6 attached)

<https://www.atsdr.cdc.gov/ToxProfiles/tp85-c1-b.pdf>

**Does the MOE identify the medical waste and coal tar creosote waste deposited at Upland's site as hazardous waste?**

Upland hired GHD to test the creosoted timbers deposited at their site and the timbers were found to be significantly below acceptable standards. The MOE did not test. All sampling needs to be done by the MOE.

**In 1992 and 1993 creosoted wood waste was found deposited at Upland's site. There were no deposits to the permitted pit location.**

**In 1992, just after Upland received their permit for a demolition and construction waste landfill, through to 1998 unauthorized log sort waste was found in the upper level of Upland's site.** Permittee reps were advised not to dispose log sort waste at this site. By November 1994 unauthorized log sort waste stored at the site had doubled. By 1995 unauthorized log sort waste stored at the site had more than redoubled in volume to approximately 20,000 to 40,000 cubic meters. Upland's permit is for 3200 cubic meters a year of inert waste. Upland was directed to apply for an amendment to their permit to accept that type of waste and for a change in permitted location of waste. There is no record of this being done at that time.

**MOE found these deposits of unauthorized waste, but imposed no penalties. Why is that?**

**Also, why was the unauthorized waste at a quantity above the 3200 cubic meters a year that Upland's permit allowed, not addressed by MOE compliance?**

In your response letter by David Morel, MOE Assistant Deputy Minister, we are told that the application by Upland for the OC is an upgrade required by the Regional District Waste Management Board. It does not need to be and should not be an increase in quantity from 3,200 cubic meters a year to 25,000 cubic meters a year or from inert waste to waste that can be contaminated and leachable, including contaminated soil. **Dr. Gilles Wendling, P. Eng. and hydrogeologist, finds there is still a risk to Campbell River's Drinking Water due to lack of critical information in Upland's consultant, GHD, reports. Also, Upland-hired Hydrologist Guy Patrick's 3<sup>rd</sup> party review agrees with Dr. Wendling's finding that more information is needed to the west and east of Upland's site.**

**Mr. Patrick names east of Rico Lake and streams to the southeast and Cold Creek to the east of Upland's site as areas needing investigation. Upland/GHD further addendum report does not provide all the recommended investigation given in Dr. Wendling's and Guy Patrick's reviews.**

**Should the MOE approve Upland's application without further investigation, it would be in disregard of 2 out of 3 hydrologist review findings.**

Upland has stated that there is no risk to Campbell River's drinking water because the landfill application is for their pit and water does not flow uphill.

However, liner seepage, identified in Upland/GHD reports, is expected. Should the liner fail due to incompatibility with hydrocarbons proposed to be landfilled at Upland's site or liner creep, causing tears due to the weight of the landfill, contaminants in leachate will flow down into the highly vulnerable aquifer under the pit and travel out in the aquifer to the surrounding environment. A 2001 Environment Canada publication stated that: *"It is now accepted that all landfills will eventually release leachate to the surrounding environment...."*

**Dr. Wendling found that fractures in the bedrock aquifer with potential drainage towards Rico Lake need to be better understood.**

In addition, the proposed final elevation of the landfill at 195 meters above sea level (masl) is above Rico lake (179-180masl) and McIvor Lake (177masl). As stated above, water does not flow uphill. The run off will flow downhill. Upland/GHD reports state: "A portion of the western property boundary dips steeply west towards Rico Lake." Ditches and swales for water management are proposed to be for 1:100 year rain events. BC Hydro reports that in November 2016 we had two 1:150 year rain events.

CREC would appreciate a timely response to our concerns and questions. Thank you.

Sincerely,

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Cc:

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