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April 15, 2020

Sent via email only: lowica@telus.net

Leona Adams, Vice President
Campbell River Environmental Committee
PO Box 20092, Station A
Campbell River BC V9W 7Z5

Dear Ms. Adams:

Re: Campbell River Environmental Committee March 9, 2020 Letter

Thank you for your letter dated February 23, 2020, regarding the Campbell River Environmental Committee's (CREC) concerns related to the Comox Valley Regional District (CVRD) application to amend the Operational Certificate (OC) 2401 for the Campbell River Waste Management Centre (CRWMC).

As required, your letter and comments were sent to the Director, Environmental Protection, Ministry of Environment and Climate Change Strategy (the Ministry) and Ministry staff requested that we provide them with a response addressing the concerns of CREC, as well as those from our neighbour, Amie Baskin. Our responses were summarized and submitted to Todd Thomson, Senior Environmental Protection Officer by email on April 8, 2020. Those responses are appended to this letter as Attachment A - Table 1: Summary of Comments Received on Operational Certificate (2401) Amendment for CRWMC.

We would like to call to your attention one response in particular, as it suggests a modification to the Draft Site Plan A that we hope will clarify the intent of the proposed amendment. As per the definition in the Criteria, "Landfill Site" includes the landfill footprint and buffer zones. The proposed amendment is not intended to extend the limits of the area for discharging waste (sanitary landfill), only to incorporate Block J within the area for authorised facilities. To further clarify, the CVRD recommends to the Ministry that Draft Site Plan A be amended to change the orange line labelled "Approximate Limit of Waste" to "Approximate Limit of Sanitary Landfill".

On behalf of the Comox Strathcona Waste Management (CSWM) staff I hope that these responses address your concerns and provide you with the reassurance that we continue to operate our facility in good faith with our community members, and in accordance with the regulations. If you have any clarifying questions, please submit them by email to Authorizations.South@gov.bc.ca and mrutten@comoxvalleyrd.ca.

Sincerely,

M. Rutten

Marc Rutten, P.Eng.
General Manager of Engineering Services

Attachment

cc: Russell Dyson, Chief Administrative Officer
Mayor Andy Adams, City of Campbell River

Comox Strathcona Waste Management manages over 100,000 tonnes of waste and recycled material annually and oversees a number of diversion and education programs for the Strathcona and Comox Valley Regional Districts.

Table 1: Summary of Comments Received on Operational Certificate (2401) Amendment for Campbell River Waste Management Centre

Date Received	Topic	Stakeholder Comment	CVRD Response
Feb. 23, 2020 via email	CSWM inability to operate within appropriate regulation, legislation and current OC.	Operations are currently non-compliant regarding landfill gas collection at the Campbell River Waste Management Centre and have been since 2017. Intention of the CSWM is to remain non-compliant until 2023, despite warning letter from MoE in 2019.	The CVRD was pursuing a substitution under the Landfill Gas Regulation which was ultimately unsuccessful. We have made a commitment to install landfill gas collection works at the time that the landfill is closed and design work for that project will be completed in 2020.
Feb. 23, 2020 via email	Potential for solid waste to be added to Block J	Although the OC amendment suggests an intention that the waste be kept roughly within the limits of its current location on Block M, it is not obvious that having waste “approximately located” at the “approximate limit” shown on the map is the same as legally prohibiting the operator from dumping waste on Block J if they chose to do so. The OC amendment should clearly spell out the prohibition more explicitly if that is indeed the MOE’s intent.	Within OC-2401, Subsection 1.1. Sanitary Landfill, states that “1.1.2. Waste may be discharged to the sanitary landfill shown on attached Site Plan A.” The amendment is not intended to extend the limits of the area for discharging waste (sanitary landfill), only to incorporate Block J within the area for authorised facilities. To further clarify, the CVRD recommends that Draft Site Plan A be amended to change the orange line labelled ‘Approximate Limit of Waste’ to ‘Approximate Limit of Sanitary Landfill’.
Feb. 23, 2020 via email	Block M (landfill footprint) is already within 500 meters of closest resident	Any OC issued by the MoE in the area covered by the CSWM must “satisfy the BC Landfill Criteria for Municipal Solid Waste” according to the CSWMP, including the 500m limit from existing or planned sensitive uses (such as residential zoning). These limitations are put in place to protect the health and safety of residents.	During development of the 2016 “Criteria” there was recognition that existing landfills would not be able to meet some of the criteria being considered, and exceptions were incorporated within the “Criteria” Section 2.1. Sub-section 2.1.2: Generic Exceptions states that: “The Siting criteria (Section 3) are applicable to new landfills and lateral expansions of existing landfills. Existing approved landfill footprints are not subject to the siting requirements (Section 3).” As an existing landfill, the 500 m separation distance from within Section 3 does not apply to the CRWMC.
Feb. 23, 2020 via email	Site Contamination	The CSWM/CVRD are aware of contaminants in the ground water in the area. No testing has been done for soil contaminants or emissions in the air. Testing should be conducted and remediation considered immediately.	Environmental monitoring parameters are established within our Design, Operations and Closure plan to meet our requirements within our Operational Certificate for the site.
Feb. 23, 2020 via email	Piles of tires and mattresses are already being stored at the site (Block J)	Although these were once considered recyclable, how long (in excess of 7 months to my knowledge) can they sit in the elements with no cover, catchment or liner, releasing chemicals such as flame retardants into the soil & groundwater, before they are considered waste. Geology in the area is permeable so runoff is going into the ground.	The tires and mattresses can be recycled after being in the elements for a period in excess of 7 months. Mattresses are stripped apart and the metal is recycled; this does not readily degrade within short periods of time (i.e. months not years) Tires are stored until such time that the BC Tire Stewardship Program designated hauler comes to pick them up for processing. Storage periods of months outside do not degrade the product such that it cannot be recycled. Groundwater monitoring is conducted quarterly at the CRWMC and results are reported to the Ministry within our Annual Report. Mattresses and tires are not a source of impact to groundwater.
Feb. 23, 2020 via email	Waste, as mentioned above (Tires & mattresses), is a fire hazard.	There are also no fire hydrants in the area. 6.7- LANDFILL FIRE MANAGEMENT of the BC Landfill Criteria for Municipal Solid Waste requires that the landfill site should have year-round and immediate access to a water supply capable of a sustained flow of water for firefighting purposes that exceeds 4,000 liters per minute or suitable alternative fire suppression equipment specified in the Fire Safety Plan.	The Fire Safety and Contingency plan within the DOCP specifies that the CRWMC is equipped with a well for emergency use which may be accessed by three stand pipes at the Site. Two 2,000 gallon water tanks are kept on site at all times, and are equipped with fire pumps and may be transported via roll-off truck. In addition, a 22,000 litre water tanker with a fire boss nozzle capable of a stream 300 ft long was procured for the Site in 2019.
Feb. 23, 2020 via email	Lack of updated Design Operation and Closure Plan & other required information for OC approval	The DOCP is dated 2017. There is also no Hydrogeology and Hydrology Characterization Report associated with this application for amendment of landfill OC 2401 as required at 10.1 of the BC Landfill Criteria for Municipal Solid Waste	A DOCP does not require updating annually; 2017 is within the 5 year update period for review and update of our DOCP as detailed in the Landfill Criteria. A Hydrogeological Assessment was completed for the Campbell River Landfill (CRWMC) in January 2004 by EBA Engineering Consultants Ltd.. This report characterizes the geology and hydrogeology of the Site which is verified each year through groundwater level monitoring and analysis in the annual reports. Since that time additional boreholes and monitoring wells have been installed to expand on the geologic and hydrogeologic knowledge. The groundwater monitoring program has been expanded to refine groundwater flow direction and to monitor water quality the aquifer in a greater number of locations. In addition, in 2017 a hydrologic assessment was completed by developing a hydrologic model of the Site to estimate the runoff volume and discharge rate generated for the post-development condition. The storm water modeling for the Site was conducted using software program PCSWMM 2016 and the report was appended within the 2017 DOCP for the CRWMC.
Feb. 23, 2020 via email	Regional Compost Facility	The intention of the CSWM to use Block J for a new regional compost facility presents numerous other concerns.	The proposed regional compost facility is not included within this application for consideration and comment.
Feb. 23, 2020 via email		The proposed amendment and Draft OC are for waste management on Block M and Block J of the Campbell River Waste Management Centre. While the waste footprint of the landfill is currently confined to Block M, CREC is concerned that the wording of the Draft OC does not appear to prohibit waste on Block J, creating the potential for solid waste to be added to Block J, less than 500 meters from the neighbouring residential property at 5900 Argonaut Road and contrary to BC’s Landfill Criteria for Municipal Solid Waste (Second Edition, June 2016) (the “Criteria”).	The amendment is not intended to extend the limits of the area for discharging waste (sanitary landfill), only to incorporate Block J within the area of authorised facilities. As this is not a lateral expansion of a sanitary landfill, the criteria to remain 500 m from a residential property does not apply. The limits of the sanitary landfill are not changing within this amendment.

Feb. 23, 2020 via email		<p>The relevant waste management plan in this case is the CSWM. The CSWM states in section 1.1: "All CSWM landfills will be designed and operated to minimize impact on the environment and the surrounding community and to satisfy the BC Landfill Criteria for Municipal Solid Waste." [Emphasis added]</p> <p>Section 3.1 of the Criteria states as follows: "The landfill footprint must not be located within 500 meters of an existing or planned sensitive land use. A planned sensitive land use is one that has been identified as an allowed use in a regional growth management plan, official community plan or zoning by-law but has not yet been built/established." [Emphasis added]</p> <p>Therefore, the landfill footprint must be at least 500 meters from the entire zoned property, not just from the house.</p>	<p>During development of the 2016 "Criteria" there was recognition that existing landfills would not be able to meet some of the criteria being considered, and exceptions were incorporated within the "Criteria" Section 2.1. The discharge of waste establishing the existing limits of the sanitary landfill has occurred over a long period of time. The 2017 DOCP did not expand those limits.</p> <p>Sub-section 2.1.2: Generic Exceptions states that: "The Siting criteria (Section 3) are applicable to new landfills and lateral expansions of existing landfills. Existing approved landfill footprints are not subject to the siting requirements (Section 3)."</p>
Feb. 23, 2020 via email		<p>CREC was advised by MOE staff that no waste would be approved for Block J, but the Draft OC wording does not appear to prohibit this. Section 1.1.2 of the Draft OC says that "Waste may be discharged to the sanitary landfill shown on attached Site Plan A." The Draft Site Plan A shows a boundary labelled "Landfill Site Boundary" extending around both Blocks M and J. While the Draft Site Plan A does show an orange line on Block M labelled "approximate limit of waste," it is far from clear that this is a legal limitation and that waste could not legally be added to Block J under s. 1.1.2 of the Draft OC.</p>	<p>Within OC-2401, Subsection 1.1. Sanitary Landfill, states that "1.1.2. Waste may be discharged to the sanitary landfill shown on attached Site Plan A." As per the definition in the Criteria, Landfill Site includes the landfill footprint and buffer zones (Figure 5.1). The amendment is not intended to extend the limits of the area for discharging waste (sanitary landfill), only to incorporate Block J within the area for authorised facilities. To further clarify, the CVRD recommends that Draft Site Plan A be amended to change the orange line labelled 'Approximate Limit of Waste' to 'Approximate Limit of Sanitary Landfill'.</p>
Feb. 23, 2020 via email		<p>In addition, waste (identified by the CSWM staff as recyclable material) is currently deposited on Block J. The waste consists of piled tires and mattresses. Please see the picture attached. It is CREC's understanding that this waste has been there for at least 7 months. The waste is deposited in an area that has no liner and no catchment, and due to the permeable geology, runoff is going into the ground. Drainage from this location is northeast and upstream of residences, an aquifer and Flintoff Creek, which flows to the Quinsam River. There is concern from the residents in close proximity to the waste piled within 300 meters of the closest residence. This concern is due to drainage to their well and that storage of this waste presents a fire hazard. CREC requests this waste be removed.</p>	<p>The tires and mattresses are being staged on Block J for recycling, not disposal. There is no activity being conducted nearby such as welding or smoking that presents a risk of starting a fire within these materials. Accumulated mattresses are stripped apart and the metal is recycled. Tires are stored until such time that the BC Tire Stewardship Program designated hauler comes to pick them up for processing. Extended periods outside do not degrade the product such that it cannot be recycled. Groundwater and surface water monitoring is conducted quarterly at the CRWMC and results are reported to the Ministry within our Annual Report. There is no indication that storage of these materials is impacting groundwater or surface water.</p>
Feb. 23, 2020 via email	Fire Safety and Emergency Contingency Plan	<p>The BC Landfill Criteria for Municipal Solid Waste states that the "Landfill site should have year-round and immediate access to a water supply capable of a sustained flow of water for firefighting purposes that exceeds 4,000 litres per minute or suitable alternative fire suppression equipment specified in the Fire Safety Plan." 6.0- Appendix J-Fire Safety and Emergency Contingency Plan of the 2017 Design, Operations, and Closure Plan, Campbell River Waste Management Centre states that "The Landfill Site should have year-round and immediate access to a water supply capable of a sustained flow of water for firefighting purposes that exceeds 4,000 liters per minute or suitable alternative fire equipment." Question: There are no fire hydrants at the applied-for site and lake access is limited. Does this landfill amendment meet section 6.7 of the Landfill Criteria and section 6.0 of the 2017 DCOP?</p>	<p>Yes, the Fire Safety and Contingency plan within the DOCP specifies that the landfill is equipped with a well for emergency use which may be accessed by three stand pipes at the site. Two 2,000 gallon water tanks are kept on site at all times. The tanks are equipped with fire pumps and may be transported via roll-off truck. In addition, a 22,000 litre water tanker with a fire boss nozzle capable of a stream 300 ft long was procured for the Site in 2019.</p>
Feb. 23, 2020 via email	Hydrogeology and Hydrology Characterization Report	<p>There is no Hydrogeology and Hydrology Characterization Report associated with this application for amendment of landfill OC 2401, as required at s. 10.1 of the Criteria, including: [see original for list] Please provide a Hydrogeology and Hydrology Characterization Report associated with this application as required under the BC Landfill Criteria for Municipal Solid Waste.</p>	<p>A Hydrogeological Assessment was completed for the Campbell River Landfill (CRWMC) in January 2004 by EBA Engineering Consultants Ltd.. This report characterizes the geology and hydrogeology of the Site which is verified each year through groundwater level monitoring and analysis in the annual reports. In addition, in 2017 a hydrologic assessment was completed by developing a hydrologic model of the Site to estimate the runoff volume and discharge rate generated for the post-development condition. The storm water modeling for the Site was conducted using software program PCSWMM 2016 and the report was appended within the 2017 DOCP for the CRWMC.</p>
Feb. 23, 2020 via email	Operate within OC	<p>The CSWM has demonstrated a lack of faith to operate within their current OC. The intent of this OC amendment is to bring existing, out-of-compliance operations into compliance.</p>	<p>The intent of the OC amendment is to recognize a change to the boundaries of the Landfill Site that was made to align historical waste placement with legal boundaries. The CVRD is committing to operating the CRWMC in a safe manner for the protection of the environment and people.</p>
Feb. 23, 2020 via email	Compost Facility	<p>The Intention to use Block J for a regional compost facility presents numerous other concerns.</p>	<p>The proposed regional compost facility is not included within this application for consideration and comment.</p>
Feb. 23, 2020 via email	Expansion of Waste	<p>Should the MOE director issue an OC for the management of waste to Block J, any structure or facility existing or in the future must meet the Criteria.</p>	<p>The amendment is not intended to extend the limits of the area for discharging waste (sanitary landfill), only to incorporate Block J within the limits of the Landfill Site and the area for authorised facilities.</p>
Feb. 23, 2020 via email	Meet with Neighbours	<p>CREC urges the Ministry of Environment and the Regional District Comox Strathcona Waste Management Board meet with the neighbour whose residence is at a distance less than 500 m from waste on Block M to work out an agreement to bring Block M into compliance.</p>	<p>As demonstrated through recent meetings with the neighbours regarding other projects onsite, Staff from the CVRD are very willing to meet with the neighbours to discuss their concerns. The party with whom we are responsible to for staying in compliance, and the party that will determine if we are in compliance is the Ministry of Environment and Climate Change Strategy.</p>