

Clean Harbors Canada, Inc.

**Supporting Document No. 5  
Record of Consultation**

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Prepared by:

**AECOM Canada Ltd.**

300 – 300 Town Centre Boulevard, Markham, ON, Canada L3R 5Z6  
T 905.477.8400 F 905.477.1456 [www.aecom.com](http://www.aecom.com)

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## 1. Introduction

The consultation process for preparation of the proposed Terms of Reference (ToR) is summarized in Section 6 of the ToR. The results of this consultation process on the proposed ToR are summarized in this Supporting Document No. 5. Complete documentation of the consultation process is provided in the appendices to this Supporting Document No. 5.

Consultation with the host community, the general public, First Nations and government stakeholders is a key component of the EA process. It provides stakeholders with the opportunity to participate in the planning process and enhance the quality of the undertaking.

To announce the project and the start of the planning process for preparation of the proposed ToR, Clean Harbors developed an initial stakeholder contact list for the project. The stakeholder list was used to provide notices and information to interested stakeholders. The initial stakeholder contact list was developed based on:

- Agencies identified by the Ministry of Environment as part of the Government Review Team for environmental assessments, including the Ministry of Aboriginal Affairs and Indian and Northern Affairs Canada;
- First Nations identified by the Ministry of Environment, including, Walpole Island First Nation, Aamjiwnaang First Nation, Kettle Point First Nation, Moravian of the Thames First Nation, Oneida of the Thames First Nation, Chippewas of the Thames First Nation, Munsee-Delaware First Nation, and Caldwell First Nation;
- Clean Harbors property tenants;
- Clean Harbors Good Neighbour Program members;
- Clean Harbors community contact list;
- St. Clair Township Council; and
- Members of the local community group POWER.

Additional stakeholders were added to the list following each open house event. A copy of the stakeholder contact list is included in Appendix A. Details of how stakeholders were contacted is included as part of the discussion of each consultation event in the following sections of this document.

Members of the local community group POWER, known to Clean Harbors, were mailed a letter announcing the project and providing details on the first public open house for the project. A copy of the Notice of Commencement and project fact sheet were included with the letter. Clean Harbors followed up with phone calls to the known representative of POWER on the day of the formal project announcement (April 21, 2009) and shortly thereafter. A meeting with the POWER representative was also held a few days prior to Open House #1.

The Ministry of Aboriginal Affairs, Indian and Northern Affairs Canada and First Nations were contacted at various points during the ToR consultation process. A copy of letters sent to these stakeholders is included in Appendix A. Responses received from these stakeholders are also included in Appendix A.

The key components in the Consultation Plan that were used by Clean Harbors to engage the public and other stakeholders and elicit feedback were two Open House events and two First Nation Community Meetings. In addition, the company held meetings directly with a number of stakeholders to discuss the proposed project and the proposed approach to assessing it. This included a site tour for approximately 11 representatives of the Ministry of the Environment in Spring 2009. A project website was developed for the public to review information and submit questions and/or comments online. The website can be found at: [http://www.cleanHarbors.com/locations/lambton/ea\\_process.html](http://www.cleanHarbors.com/locations/lambton/ea_process.html). A project telephone line (1.519.864.3890) was also established to receive comments and questions.

## 2. Feedback from Open House #1 – April 29, 2009

The purpose of the first public Open House was to introduce the project to stakeholders, and provide them with the opportunity to review the scope, purpose and objectives of the ToR. In addition, the attendees were asked to provide feedback on the potential criteria to be used for evaluation of the alternatives. The input received by Clean Harbors at Open House #1 in regard to site operations and the proposed expansion was typically general in nature, with some specific feedback on the potential evaluation criteria. A more detailed Consultation Report on Open House #1 prepared by AECOM is provided in Appendix B to this Supporting Document. Attendance at the Open House was 55 individuals, many of them neighbours who reside close to the Lambton Facility, and including members of POWER.

General points and questions raised by the attendees included:

- Landfill odours;
- Possible health impacts;
- Property values;
- Post closure care and maintenance of the site; and
- Higher level of compensation for the host municipality.

The most important assessment criteria identified by attendees at the first Open House were:

- Air Emissions
- Odour
- Groundwater Quality
- Impact on Existing Businesses or Farms
- Impact on Agricultural Operations
- Impact on Existing off-site residences
- Groundwater Quantity

### 3. Feedback from Walpole Island First Nation Community Meeting – June 16, 2009

The purpose of the Walpole Island Community Meeting was to provide Band Council and Island residents with background information on the Clean Harbors landfill expansion proposal and to gather input on the proposed evaluation criteria and indicators that might be used to compare landfill expansion alternatives. A more detailed report on the Community Meeting prepared by AECOM is provided in Appendix C to this Supporting Document. There were 16 attendees.

The following general areas of input were provided to Clean Harbors:

- Ensure water safety;
- Concern about potential disruptions in ecosystems;
- Concern about health of environment and humans;
- Facility should work towards zero discharge; and
- Are there employment opportunities for Walpole Island First Nations members?

The most important assessment criteria identified by attendees at the Walpole Island meeting are as follows:

- Air Emissions
- Groundwater Quality
- Groundwater Quantity
- Surface water Quality
- Surface water Quantity
- Terrestrial Ecosystems
- Aquatic Ecosystems

### 4. Feedback from Open House #2 – June 17, 2009

The main purpose of the second public Open House was to provide an opportunity for local stakeholders to comment on what was proposed to be included in the proposed Terms of Reference, and further discuss the evaluation criteria proposed to be used to compare the various alternatives being proposed by Clean Harbors. The initial relative importance of these criteria as determined by feedback received from respondents who attended the first Open House was also presented, as was the response of Clean Harbors to several matters that had been raised in the consultation process to date. A more detailed report on Open House #2 prepared by AECOM is provided in Appendix D to this Supporting Document.

Attendance at the second public Open House was 21 individuals, including members of POWER.

General points and questions raised by the attendees included:

- Seasonal variations in air emissions and odours;
- Responsibility for perpetual care;
- Property values;

- Increase natural habitat corridors on Clean Harbors property;
- Don't want this expansion;
- Clean Harbors should consider scrubbing the flue gas from the incinerator stack at some point; and
- Possibility of a biodiversity wetland for plants and animals.

The most important assessment criteria identified by attendees at the second public Open House were as follows:

- Groundwater Quality
- Groundwater Quantity
- Air Emissions
- Odour
- Surface water Quantity
- Surface water Quality
- Disruption to use and enjoyment of residences

## 5. Feedback from Aamjiwnaang First Nation Community Meeting – June 18, 2009

The purpose of the Aamjiwnaang First Nation Community Meeting was to provide Band Council and residents with background information on the Clean Harbors landfill expansion proposal and to gather input on the proposed evaluation criteria and indicators that might be used to compare landfill expansion alternatives. A report on the Community Meeting prepared by AECOM is provided in Appendix E to this Supporting Document.

Signed public attendance at the Community Meeting was 12 individuals.

General points and questions raised by the attendees included:

- Impact Benefit Agreement;
- Funding to hire independent technical review of documents;
- Risks of water overflow and potential leakages;
- Training in environmental assessment; and
- Benefits to First Nations, e.g., jobs, scholarships.

The most important assessment criteria identified by attendees at the Aamjiwnaang meeting were as follows:

- Air Emissions
- Odour
- Groundwater Quality
- Groundwater Quantity
- Surface water Quality
- Archaeological Resources

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## 6. Summary of Comments Received and Responses

A summary of the written comments received on the consultation activities undertaken during the development of these proposed ToR, and Clean Harbors' responses to this input, is provided in Appendix F to this Supporting Document.

As indicated in the responses in Appendix F and as discussed in the Proposed TOR, Clean Harbors has endeavoured to be responsive to the input received and concerns raised during the consultation process in preparation of these ToR. Examples include the following:

- Preparation of additional area maps to assist area residents to orient themselves relative to the site and surrounding features; and current locations for environmental monitoring programs;
- Offering to conduct meetings with neighbours and stakeholders who were not able to attend the Open House events or prefer to discuss their concerns one-on-one with company representatives;
- Generating accurate visual depictions of the existing site and proposed expansion alternatives, to assist all stakeholders to anticipate the site appearance from various viewpoints; and,
- Organization of special Open Houses and committee and Council presentations for the Aamjiwnaang First Nation and Walpole Island First Nation.