

MISSISSIPPI-RIDEAU SOURCE PROTECTION REGION

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MINUTES

**Mississippi-Rideau
Source Protection Committee**

August 4, 2011

#8/11

Location: Almonte and District Community Centre, 182 Bridge Street, Almonte

Present: George Braithwaite
Carol Dillon
Paul Knowles
Patricia Larkin
Randy Malcolm
Beverly Millar
Janet Stavinga (Chair)

Scott Bryce
Richard Fraser
Drew Lampman
Pieter Leenhouts
Peter McLaren
Eleanor Renaud

Mark Burnham (Source Protection Authority Liaison)

Staff: Allison Gibbons
Michelle Paton

Tiffany Ones
Brian Stratton

Guests: Duncan Abbott, Town of Mississippi Mills, Mississippi Valley Conservation Authority
Gary Davison, Cataraqui Source Protection Committee
Desmond Devoy, Canadian Gazette
Alex Gillis, Town of Mississippi Mills, Mississippi Valley Conservation Authority
Alan Jones, City of Ottawa, Mississippi Valley Conservation Authority
Derek Matheson, Rideau Valley Conservation Authority

Regrets: Scott Berquist
Mary Wooding

Tammy Rose

(Ministry of the Environment Liaison)

1.0 Welcome and Introductions

Chair Stavinga welcomed everyone to the meeting and asked all participants to introduce themselves.

a) Agenda Review

Chair Stavinga reviewed the purpose of the meeting. It was noted the title of Agenda Item #3.0b should be Waste Disposal Sites - PCB Waste and Tailings from Mines as per the Staff Report.

b) Notice of Proxies None

c) Adoption of the Agenda

Motion 1-8/11

That the Agenda be approved as presented.

Carried

d) Declarations of Interest None

e) Approval of Minutes

A Member identified an error on Page 4 under Existing Significant Threats. #1 – Sanitary sewers and related pipes should read:

Vacuum sewer systems would not require testing of pipes every five years as the system is constantly under vacuum.

Motion 2-8/11

That the minutes of the Mississippi-Rideau Source Protection Committee meeting of July 7, 2011 be approved as amended.

Carried

f) Status of Action Items

Chair Stavinga reviewed the Status of Action Items. The following updates were noted:

#2 Mine Tailings

Brian Stratton explained that while the Ministry of the Environment has not yet confirmed whether or not mine tailing ponds require a Waste Certificate of Approval, staff are proceeding under the assumption that they will not.

#5 Ottawa River Watershed Inter-Jurisdictional Committee

Chair Stavinga confirmed that the revised proposal, prepared by W.F. Baird & Associates Coastal Engineers Ltd., had been presented to the Ministry of the Environment. Chair Stavinga advised that both the Ministry of the Environment and the Ministère du développement durable, Environnement et Parcs are currently experiencing funding and resource challenges. Chair Stavinga will continue to work with the City of Ottawa and the Ville de Gatineau.

Motion 3-8/11

That the Mississippi-Rideau Source Protection Committee receive the Status of Action Items Report for information.

Carried

g) Correspondence

Chair Stavinga recommended that the letter from Tay Valley Township to The Honourable Dalton McGuinty, dated July 12, 2011, be taken under consideration and brought forward during the planning process when the Committee addresses financial recommendations and support for non-municipal systems.

Motion 4-8/11

That the Mississippi-Rideau Source Protection Committee receive the Correspondence for information.

Carried

2.0 Source Protection Plan Development

Brian Stratton provided an update on policy development. He then directed Members to the updated tables on Policy Development Progress and Potential Policy Effects dated July 26, 2011.

Members expressed concern with the use of the following text:

Only 3% of the Mississippi Rideau region is considered vulnerable enough to produce significant threats.

Staff was directed to include a reference to the 89% of the Mississippi-Rideau region that is considered highly vulnerable aquifer.

Motion 5-8/11

That the Mississippi-Rideau Source Protection Committee receive the report on Source Protection Plan Development for information.

Carried

3.0 Draft Policy Ideas

a. Dense Non-aqueous Phase Liquids and Organic Solvents

Allison Gibbons gave a presentation on Dense Non-aqueous Phase Liquids (DNAPLs) and Organic Solvents. DNAPLs are chemical compounds that are denser than water and do not dissolve readily in water. Many DNAPLs are highly toxic, persistent and carcinogenic. Organic solvents are carbon-based substances that are capable of dissolving or dispersing one or more other substances. DNAPLs are particularly dangerous near drinking water because even small amounts can cause toxic levels of contamination for human health. As well, because they are heavier than water, DNAPLs sink to the bottom of surface water and groundwater making them hard to capture and remediate. They do not

dissolve readily but create toxic pools that can last for long periods of time. Finally they defy conventional clean-up methods.

Ms. Gibbons confirmed that there are some locations in the Mississippi-Rideau region where DNAPLs and organic solvents are an existing drinking water threat. Future significant threats are possible throughout the region. The area around a well where DNAPLs are a significant threat is much larger than for other drinking water threats because DNAPLs move downwards through the subsurface and current remediation technology is not capable of dealing satisfactorily with a spill. Any quantity of DNAPLs within the five year time of travel would be considered a significant threat. Threshold quantities have been identified for the storage of organic solvents.

A member questioned the use of a five year time of travel. Staff responded that this was a recommendation of the technical experts and is based on the approximate time required to replace the municipal well.

Members questioned whether businesses using DNAPLs and organic solvents should even be located in Wellhead Protection Areas and Intake Protection Zones or whether locating such businesses in an “industrial park” would be preferable. Staff cautioned that the object of setting policy was not to force the closure of businesses but to minimize associated risks. Allison Gibbons suggested that the early engagement process should provide more information.

Members discussed the classification system for the *Canadian Environmental Protection Act's* Toxic Substances List. Staff was asked to investigate whether a substance on this list could be identified as being toxic to human health or to the environment.

Brian Stratton confirmed that organizations identified as using DNAPLs and organic solvents had been sent significant threats letters in October 2010. Very few responses had been received. Further communication with these organizations is planned.

Brian Stratton identified a clerical error on Page 19 of the staff report. The sentence immediately preceding the table should be amended to read:

...what policy tools are available to address DNAPLs and organic solvents where they are or would be ...

Members discussed the Draft Policy Ideas and noted the following:

1. Existing Significant Threat

Risk Management Plan:

- i. Members expressed concern with the use of the word “negotiated” when referring to Risk Management Plans as a policy tool because negotiation implies flexibility or variability. Members emphasized that policy wording should be clear and forceful so that the application of Risk Management Plans are consistent and performance based.

Members questioned whether the Risk Management Catalogue being developed by the Ministry of the Environment would provide the necessary clarity.

- ii. Members expressed concern with using “Silent” as a compliance date for such a serious threat.

Education and Outreach

A suggestion was made that a list of educational resources and websites relating to DNAPLs and organic solvents be provided to municipal planners.

Members recommended expanding the Education and Outreach policies as they relate to DNAPLs beyond highly vulnerable areas to cover the entire region.

Members discussed the implications of various “Legal Effect” options.

Land Use Planning

Staff was asked to investigate the discharge handling procedures used by municipalities without sewers.

Members discussed the implications of a staff recommendation to amend the proposed Policy Tool to read: Municipalities shall enact a sewer use by-law that prohibits or limits the concentrations of the discharge of sewage containing...

2. Future Significant Threat

Land Use Planning

Members discussed the recommendation proposing that Official Plans and Zoning By-laws prohibit the establishment of new businesses that would involve the storage and handling of DNAPLs or organic solvents where they would be significant drinking water threats.

Allison Gibbons advised that the Ministry of the Environment, through its review process, was now recommending the removal of references designed to mirror source protection policies to Official Plans and Zoning By-laws and encouraging the use activity prohibition instead. Ms. Gibbons suggested that future versions of source protection policies may not include references of this type. She noted that sections of the *Clean Water Act* already require Zoning By-laws and Official Plans to reflect source protection policies where appropriate.

A Member expressed concern that the draft policy ideas did not address the issue of hazardous activities being established in proximity to rural wells and other sensitive features.

Chair Stavinga noted the following directions to staff:

1. Staff was directed to explore the appropriateness and implications of using “negotiated” in the wording of the policy.
2. Staff was directed to explore, through the consultation process, the appropriateness of using “silent” as a compliance date.
3. Staff was directed to draft Education and Outreach policy ideas for vulnerable areas where there would be moderate or low drinking water threats and to identify the appropriate “Legal Effect”.
4. Staff was directed to amend the policy tool wording to read “Municipalities shall enact a sewer use by-law that prohibits or limits the concentrations of the discharge of sewage containing any of the 9 listed DNAPL substances or organic solvent substances or add these substances to the wording of existing sewer use by-laws.” Staff was asked to explore the appropriateness of adding or limits the concentrations of by asking questions during the consultation process, reviewing other sewer use bylaws, and soliciting reaction from municipal partners. Staff will report back to the Committee on their findings. Staff were especially advised to flag the “9 listed DNAPL substances” when speaking with municipal staff who work with sewer use by-laws to determine if any of the 9 substances would be prohibited or limited.
5. Staff was directed to include the section on Land Use Planning but to review, through the consultation process, the appropriateness of including this section.

Motion 6-8/11

That the Mississippi-Rideau Source Protection Committee approve the Draft Policy Ideas for DNAPLs and organic solvents as amended and direct staff to undertake early engagement with potentially affected persons and bodies.

Carried

b. PCB Waste Disposal Sites

Allison Gibbons gave a short presentation on Waste Disposal Sites - PCB Waste and Tailings from Mines which are two of the ten waste disposal site threat subcategories. Ms. Gibbons noted that a previous staff report presented at the May 2011 meeting had proposed draft policy ideas for the other eight waste disposal site threat subcategories.

Brian Stratton reviewed the Draft Policy Idea for these waste disposal sites and noted the following:

1. Existing Significant Threats

There are no existing significant threats so no policies are required.

2. Future Significant Threats

Certificates of Approval do not apply to PCB waste storage or the storage, treatment or discharge of tailings from mines. Because of this, the draft policy idea recommends that PCB waste storage or the storage, treatment or discharge of tailings from mines be prohibited through Land Use Planning.

3. Future Moderate or Low Threats

Staff recommend the use of prescribed instruments (Waste Certificates of Approval) for other types of waste disposal sites and would specify action that the Ontario Ministry of the Environment, and possibly other agencies, should consider the potential impact on drinking water sources during their review of proposals for new PCB waste storage sites and new mining operations throughout the Highly Vulnerable Aquifer.

Members noted that Significant Threat Circumstances are defined in the chart on page 23 but are not included in the chart on page 31. The need for consistency in policy documentation was stressed. Staff was directed to ensure that the final document is consistent, clear, and as user-friendly as possible.

Motion 7-8/11

That the Mississippi-Rideau Source Protection Committee approve the Draft Policy Ideas for PCB waste storage and the storage, treatment and discharge of tailings from mines and direct staff to undertake early engagement with potentially affected persons and bodies.

Carried

4.0 Community Outreach

Chair Stavinga reviewed the community outreach activities and noted the following:

Past Activities

#5 OFEC Working Group Meeting

Chair Stavinga advised she was awaiting receipt of an information package from this meeting.

Upcoming Activities

Peter McLaren announced that the Middleville and District Museum would be hosting Lanark Township’s “One-room Schoolhouse” reunion in Middleville on August 21.

Patricia Larkin questioned the role of Source Protection Committees post-2012 in monitoring the Ministry’s Environmental Registry. She agreed to bring the question forward at the September meeting.

Motion 8-8/11

That the Mississippi-Rideau Source Protection Committee receive the Community Outreach staff report for information.

Carried

6.0 Other Business

Chair Stavinga announced that Jean-Guy Albert has assumed a new role with the City of Ottawa and will no longer serve on the Mississippi-Rideau Source Protection Committee as the Medical Officer of Health Liaison. Chair Stavinga recognized Mr. Albert’s contribution to the Committee. Chair Stavinga confirmed that Mr. Albert’s replacement has not yet been named although a selection process is in place.

7.0 Member Inquiries None

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8.0 Next Meeting
September 1, 2011, 4 pm
Rosedale Hall
657 Rosedale Road South, Montague

9.0 Adjournment
The meeting was adjourned at 6:10 pm.

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Janet Stavinga
Chair

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Michelle Paton
Recording Secretary