



City of
Peterborough

TO: Members of the Waste Management Committee

FROM: Melanie Kawalec, Manager of Waste Management

MEETING DATE: November 16, 2009

**SUBJECT: Report WMC09-04
Site Liaison Committee Draft Revised Terms of Reference**

PURPOSE

A report to present to Committee a draft copy of the revised Site Liaison Committee Terms of Reference, required to be updated for Certificate of Approval compliance.

RECOMMENDATION

That the Waste Management Committee endorse the recommendation as outlined in Report WMC09-04 dated November 16, 2009, of the Manager of Waste Management as follows:

That Report WMC09-04 from the Manager of Waste Management presenting a draft copy of the revised Site Liaison Committee Terms of Reference be received for information and forwarded to the Site Liaison Committee for discussion and approval.

BUDGET AND FINANCIAL IMPLICATIONS

There are no budget or financial implications associated with this report.

BACKGROUND

As a result of the annual waste disposal site inspection by the Ministry of the Environment, the MOE noted that Schedule B is no longer relevant or practices. The Terms of Reference of the Bensfort Road Landfill Liaison Committee need to be updated to reflect current practices.

FINDINGS

The Terms of Reference for the Bensfort Road Liaison Committee have become dated over time, as the name, the composition and the role has changed over time. A redlined draft copy of the revised Site Liaison Committee Terms of Reference is attached to this report as Attachment A. Comments or revisions on this draft should be forward to Melanie Kawalec by Friday, December 4, 2009 so that a revised version can be forwarded to the Site Liaison Committee in advance of their next meeting.

The revised draft Terms of Reference for the Site Liaison Committee will be presented to the Committee at their meeting on Wednesday, January 13, 2010 for their review and consideration. Once approved by both the Site Liaison Committee and the Waste Management Committee, an application for a Certificate of Approval amendment will be filed with the Ministry of the Environment in order to update the Certificate of Approval, for compliance purposes.

SUMMARY

Staff will work with the Site Liaison Committee to update their Terms of Reference to ensure accuracy and relevance.

Submitted by,

Melanie Kawalec,
Manager Waste Management

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Attachment A: Revised Draft Schedule “B”; Terms of Reference of the Peterborough Waste Management Facility Site Liaison Committee

Attachment “A”

REVISED DRAFT

Schedule “B”

This Schedule “B” forms part of Provisional Certificate of Approval No. A 341508:

**TERMS OF REFERENCE OF THE
PETERBOROUGH WASTE MANAGEMENT FACILITY
SITE LIAISON COMMITTEE**

1.0 CONTINUATION OF THE EXISTING COMMITTEE

- 1.1 In accordance with the terms and condition of approval which form part of the Provisional Certificate of Approval for the Peterborough Waste Management Facility and the definitions contained therein, the existing site liaison committee is continued. The goal of the site liaison committee is to work co-operatively towards proper on-site operations and the avoidance of off-site impacts from the Peterborough Waste Management Facility .
- 1.2 At least one year prior to Site closure under the herein Certificate, the committee, Peterborough and Otonabee-South Monaghan shall consider whether the Committee shall be continued after Site closure and if so, any appropriate amendments to the Schedule “B”.

2.0 COMPOSITION OF THE COMMITTEE

The committee shall be comprised of:

- 2.1 one member chosen annually by the residents living within 1,000 metres of the Site (one vote);
- 2.2 two members representing Peterborough (two votes);
- 2.3 one member representing Otonabee-South Monaghan (one vote), and
- 2.4 a fifth member acting as a Chairperson, who is chosen by the consensus of the four other members of the committee, for a renewable one year term, who will vote only to decide an issue that would otherwise result in a deadlock.

A minimum of two voting members plus the Chairperson constitutes a quorum at any meeting.

The general public are welcome to attend committee meetings.

3.0 RESOURCES OF THE COMMITTEE

- 3.1 Peterborough staff shall act as the Secretary with responsibility for the production and distribution of committee notices, correspondence, reports and other documents.
- 3.2 Otonabee-South Monaghan shall select and retain consultants, which are satisfactory to the committee and instruct the consultants for the purposes of the committee as set out below. Otonabee-South Monaghan shall pay said consultants, as required, to a maximum of \$5,000 per year until the Site is closed. Said consultant work exceeding a total cost of \$5,000 in any year until Site closure may be pre-approved by the committee, Peterborough and Otonabee-South Monaghan, with said excess costs being shared between Peterborough and Otonabee-South Monaghan as agreed between them.

4.0 ROLE OF ENVIRONMENTAL CONSULTANT

- 4.1 Otonabee-South Monaghan's consultants shall have reasonable access to monitor the Peterborough Waste Management Facility.
- 4.2 Otonabee-South Monaghan's consultants should provide advice and report to the committee:
- 4.2.1 Compliance with the Peterborough Waste Management Facility conditions of approval;
 - 4.2.2 Appropriate supplementary monitoring of ground and surface water;
 - 4.2.3 Assessment of the environmental impacts (if any) of all reported allegation so non-compliance with relevant statutes, regulations, policies, and the Peterborough Waste Management Facility conditions of approval;
 - 4.2.4 An annual report submitted by Peterborough to the Ministry of the Environment;
 - 4.2.5 Any contingency plans developed by Peterborough for replacement capacity in the event that the future waste disposal site is not available to receive waste prior to the anticipated date of Site closure; and
 - 4.2.6 Such other reasonable matters as Otonabee-South Monaghan, on behalf of the committee, may direct.

- 4.3 To carry out the above functions, the duties of Otonabee-South Monaghan's consultants include:
- 4.3.1 Scheduled site visits to review operations and systems at the Peterborough Waste Management Facility, which may include attendance at committee meetings, as requested by the Site Liaison Committee;
 - 4.3.2 Such additional attendance at the Peterborough Waste Management Facility or committee meetings, as directed and as required by the Site Liaison Committee;
 - 4.3.3 Reviewing ground and surface water monitoring data and reporting on any data which indicate actual or potential compliance problems; and
 - 4.3.4 Submitting written reports of site visits to the committee as per the Committee's request.
 - 4.3.5

5.0 MANDATE OF THE COMMITTEE

The general mandate of the committee shall include:

- 5.1 Meeting on a regular basis as predetermined by the committee, to record the attendance at and minutes of the meeting, and to carry out its tasks democratically;
- 5.2
- 5.3 Promptly and co-operatively exchanging information between committee members regarding the ongoing development, operation, management, complaints and monitoring.
- 5.4 Ensuring that an effective protocol is in place for hearing and promptly acting on complaints and concerns regarding the ongoing development, operation, management and monitoring of the Peterborough Waste Management Facility ;
- 5.5 Requesting Otonabee-South Monaghan to select, retain, and instruct environmental consultants to interpret information and to provide advice to the committee;
- 5.6 Reviewing the closure and contingency plans prepared by Peterborough pursuant to condition 6 of this Provisional Certificate of Approval;