

ST. CLAIR TOWNSHIP
SPECIAL MEETING OF COUNCIL
SESSION #24

St. Clair Civic Centre
Council Chambers
November 4, 2010
5:00 p.m.

The special meeting of the Council of the Corporation of the Township of St. Clair was held this evening with the following members present:

	S. Arnold	Mayor
	P. Gilliland,	Deputy Mayor
	P. Carswell-Alexander,	Councillor
	D. Randell,	“
	S. Miller,	“
	J. Agar,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO
Attendees:	Mike Parker	Ministry of the Environment
	Randy Brown	Ministry of the Environment
	Chris Small	Clean Harbors
	John DiNapoli	Clean Harbors
	Roger Affeldt	Clean Harbors
	Peter Pickfield	Garrod Pickfield LLP, Township Environment Counsel,
Absent:	P. Brown,	Councillor
	Jeff Baranek	Deputy Clerk/Coordinator of Planning

The special meeting of Council was called to discuss environmental issues with the Ministry of the Environment, Clean Harbors and the Township’s environmental counsel relative to issues pertaining to the operation of the Clean Harbor’s facility. The Mayor called the meeting to order at 5:00 p.m. and asked members to declare any possible conflicts of interest at the appropriate time.

DECLARATION OF CONFLICT OF INTEREST:

None declared.

Mayor Arnold welcomed everyone to the meeting and after introductions, turned the meeting over to Mr. Chris Small, Landfill Site Manager for Clean Harbors who explained to everyone in attendance the activities at Clean Harbors during the recent work stoppage. Mr. Small advised that the work was done in compliance with the site certificate approval using qualified senior management and qualified employees brought from other Clean Harbors’ facilities. In response to Mr. Pickfield’s questions, Mr. Small advised that full laboratory services were still available. The Mayor then called upon representatives of the MOE to give details on the MOE’s routine site inspections during the strike. Mr. Randy Brown, the MOE inspector assigned to the site advised that, from his point of view, it was business as usual during the strike and nothing unusual in the way of a non-compliance to the certificate of approval was observed, either on the incineration side or the landfill side. There were three (3) incidences of minor leaks from trucks observed and the offending haulage contractor contacted. In response to Mr. Pickfield’s questions, Mr. Brown advised that he typically visits the Clean Harbors site three (3) times per week and the duration of his inspection is usually 2 to 3 hours per visit. Mr. Pickfield suggested that in cases of similar work stoppages, perhaps a meeting with MOE and Township officials could be conducted early on to assure those involved that safe operating protocols will be maintained. Also, in response to questions, Mr. Brown advised that the quantity of leaking trucks observed was not necessarily unusual. There was a suggestion at the meeting that a

Ministry protocol be developed in cooperation with Clean Harbors to specifically address the issue of leaking trucks. It was pointed out that with normal operation of the site, material moves more quickly to the landfill area and the line-up of trucks waiting to unload is not as long as it was during the strike. Mr. Pickfield asked the Clean Harbors' representatives the status of the environmental assessment approval process for the proposed Clean Harbors' expansion. It was pointed out that the draft terms of reference have not been approved by the Minister and it was hoped that such approval would be done in a timely fashion. Also in response to Mr. Pickfield's questions, Mr. DiNapoli advised that Clean Harbors is not progressing with any studies that are anticipated that will be part of the EA process. It was suggested that when approval is received for the terms of reference, a meeting be scheduled amongst all parties to agree on a time frame for completion of the reports on behalf of Clean Harbors and a timely review by the Township's peer review team. Also, while present, Clean Harbors presented to Council, a proposal to develop a new transportation routine in which wastes would be delivered to a specific site in sealed containers by way of railcar with the sealed containers then to be offloaded onto flatbed trucks for transportation to the Clean Harbors facility. The Clean Harbors' representative stated that investigations have been underway to determine if the former Century Truss property would be a suitable location. Mr. Brown of the MOE stated that, in his opinion, a certificate of approval would be required from the Ministry to establish this or any other site as a waste transfer. This certificate of approval would provide for containment as well as other environmental safeguards. It was proposed that the area required by Clean Harbors would be leased from the Century Truss property owners as opposed to a property purchase. It was pointed out that Clean Harbors has a similar facility in Burton, MI located west of Flint, MI. In response to Clean Harbors' questions regarding the zoning implications for the Century Truss property, Mr. Pickfield advised that the township would review the proposal relative to the zoning bylaw and respond to the question.

Hearing no further comments, Mayor Arnold thanked the representatives from Clean Harbors and the Ministry of the Environment for attending. Mr. Pickfield recommended that Council correspond with Clean Harbors and the Ministry of the Environment asking for protocols to be established for monitoring of possible leaking trucks entering the Clean Harbors facility as well as the agreement to establish lines of communication between the municipality, Ministry of the Environment and Clean Harbors should a similar labor dispute happen at any time in the future.

Moved by S. Miller

Seconded by D. Randell

Motion #1: That Mr. Pickfield be authorized to correspond on behalf of the Township with the Ministry of the Environment and Clean Harbors to establish leaking truck inspection protocols as well as communication protocols between the Ministry, Clean Harbors and the Township in the possible event of any future labor disputes that could affect the operation of the site.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #2: That the meeting do hereby adjourn.

CARRIED

Meeting adjourned at 6:25 pm

MAYOR

CLERK