

Bennett Environmental Inc.
Proposed Kirkland Lake Thermal
Oxidizer Facility

Proposed Terms of Reference

Pursuant to the *Environmental Assessment Act*

Background Document 7
Record of Public Consultation for the
Draft Terms of Reference
May 10 – October 31, 2000.

November 2000

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1 INTRODUCTION / BACKGROUND

Bennett Environmental Inc. submitted a request on May 10, 2000, for the Proposed Thermal Treatment Facility in Kirkland Lake, Ontario, to be designated under the Ontario *Environmental Assessment Act*. This application was designated on August 25, 2000 (O.Reg. 491/00).

Bennett Environmental Inc. (“BEI”) issued a press release on May 10, 2000 indicating that the project would now be subject to the *EA Act*. BEI then prepared a Draft Terms of Reference (“ToR”) document that set out in detail the requirements for the preparation of the environmental assessment (“EA”) for BEI’s proposed facility in Kirkland Lake, Ontario. These Terms of Reference incorporate the work BEI has already done under the Environmental Protection Act approvals process and build on this work to meet EA requirements.

BEI identified a broad range of stakeholders to consult during the development of its EA. This document describes the stakeholder consultation that BEI conducted for the review of its Draft ToR, before finalizing the ToR for submission to the Minister of the Environment for approval.

The main body of this report summarizes the key consultation opportunities that took place. The appendices to this report contain agendas, minutes of meetings and the presentations made, where available; as well as the comments received, and the responses that BEI provided.

BEI began circulating the Draft ToR for comment on June 20, 2000. Comments were due to BEI on July 28th, 2000. During the comment period, BEI held Open Houses and meetings with specific groups.

2 MEETINGS AND OPEN HOUSES

2.1 Citizens Advisory Committee (“CAC”) Meeting

BEI sent each member of the CAC a copy of the Draft Terms of Reference by Express Post on June 20th, 2000.

BEI met with four of six members of the CAC (refer to Minutes from the meeting – Appendix A) and two MOE representatives, Ken Gibson and Daryl Firlotte, on June 26th, 2000 at the Bennett Information Office in Kirkland Lake. The purpose of the meeting was to examine the Draft ToR. Minutes from the meeting are attached in Appendix A.

The majority of questions posed during the meeting were to clarify information presented in the Draft ToR document. These questions, and subsequent BEI responses, are contained in Table 1 of Appendix B.

2.2 Temiskaming Federation of Agriculture (“TFA”) Meeting

BEI contacted Julie Poirier of the Ontario Federation of Agriculture (OFA) to arrange a meeting between BEI and members of the Temiskaming Federation of Agriculture (TFA). The meeting request was in response to interest by members of the TFA in the proposed BEI facility.

BEI met with four directors from the TFA (Kevin Runnalls, Mark Lenover, Steve Runnalls, and Matthew Duke), Julie Poirier of the Ontario Federation of Agriculture, and Corinna Dallaire, a Kearns township resident, on June 27th, 2000 at the Kearns Township Hall. BEI made a presentation and answered questions throughout the meeting. The list of attendees and the presentation are attached in Appendix C.

Questions from the meeting, and subsequent BEI responses, are attached in Table 2 of Appendix B. Julie Wilkinson, Secretary of the TFA, provided a second list of questions to BEI by fax on June 30, 2000. The majority of questions posed during the meeting dealt with technological aspects of the proposal, including air pollution control (APC) technology. Those questions posed in the fax sent by Ms. Wilkinson dealt with aspects of the consultant studies addressing aspects of the preparation of the EA. These questions, and subsequent BEI responses, are attached in Table 2 of Appendix B.

2.3 Open House in Kirkland Lake

BEI held an Open House at the Royal Canadian Legion Hall in Kirkland Lake on June 28th, 2000. Approximately 30 interested parties arrived for the formal presentation, including media representatives. There was an opportunity for informal discussion with BEI staff and MOE representatives prior to the formal presentation. The list of attendees of the Open House is attached in Appendix D.

Danny Ponn, VP and COO, Bennett Environmental Inc., gave a presentation describing BEI, and explaining the technology for the proposed facility. Ariane Heisey, Project Officer, Ontario Ministry of the Environment, addressed the significance of the Environmental Assessment process, as well as how stakeholders can provide comments on EA documents. Copies of the presentation were provided for interested parties that attended the Open House. This presentation is contained in Appendix C.

BEI provided information request and feedback forms to attendees, in which they could pose specific questions or concerns regarding the proposal, and interested parties were encouraged to return the forms before leaving the Open House. Four forms were returned to BEI. A copy of the blank form can be found in Appendix D.

2.4 Open House in New Liskeard

BEI held an Open House at FranChefCo's Meeting Room in New Liskeard on June 29th, 2000. There was an opportunity for informal discussion with BEI staff and MOE representatives prior to the formal presentation. As only six people attended the meeting, informal discussion replaced the formal presentation.

The list of attendees from the Open House is attached in Appendix E. BEI provided information request and feedback forms to attendees, in which they could pose specific questions or concerns regarding the proposal, and interested parties were encouraged to return the forms before leaving the Open House. No comment forms were returned to BEI during the meeting. Copies of the presentation were provided for interested parties that attended the Open House. This presentation is attached in Appendix 2-C.

2.5 Temiskaming Municipal Association

BEI requested to make a presentation to the members of the Temiskaming Municipal Association (TMA) in a letter dated June 19, 2000. However, after a phone conversation with Mr. Ken Boal of the TMA, BEI learned there were not any more meetings scheduled until September 2000.

In a letter dated July 24, 2000 BEI made another presentation offer for the TMA meeting to be held on September 28, 2000. Confirmation was received on July 27, 2000 from the Mr. Boal that BEI was on the agenda for the TMA meeting on September 28, 2000.

BEI made a 20-minute presentation to the members of the TMA, which was followed by approximately 20 minutes of questions. All correspondence leading up to the meeting, questions asked and a copy of the presentation and are attached in Appendix F.

3 STAKEHOLDER COMMENTS

3.1 Local Municipalities

BEI provided copies of the Draft Terms of Reference to clerks of members of the Temiskaming Municipal Association, and the Towns of Temagami and Iroquois Falls, by Express Post on June 20, 2000. BEI requested that these documents be made available to the public during normal business hours.

3.2 First Nations

BEI provided copies of the Draft Terms of Reference to the Beaverhouse and Matachewan, First Nations by regular mail on June 21, 2000. At the request of a CAC member, BEI provided a copy of the Draft ToR to Wahgoshig First Nation by regular mail on July 4, 2000. BEI requested that these documents be made available to the public during normal business hours. Comments were received from Wahgoshig First Nation. These comments, and subsequent BEI responses, are provided in Table 2 of Appendix B.

3.3 Federal and Provincial Government Representatives

BEI advised the MP Benoit Serré and MPP David Ramsay of the Temiskaming-Cochrane District of availability of the Draft Terms of Reference, by regular mail on June 21, 2000. BEI invited comment on the document; however, no comments were received.

3.4 General Public/Environmental Groups/EA Documentation Respondents

All general public comments received during the Draft Terms of Reference comment period and subsequent BEI responses are detailed in Table 2 of Appendix B.

3.5 Government Review Team

The MOE provided BEI with a list of Government Reviewers to contact and request comment on the Draft ToR. BEI provided all members of the Government Review Team (GRT) on this list with copies of the Draft Terms of Reference and requested comments by July 28, 2000. The original Review Team list is included in Appendix G. Based on the feedback received from Reviewers as well as guidance provided by Ariane Heisey, MOE, on the Reviewers to keep on the Review Team list, BEI amended the list. The amended list as well as all comments provided by the GRT, and subsequent BEI responses, are located in Table 3 of Appendix B.

4 OFFICES OF PUBLIC RECORD

4.1 Libraries

BEI provided copies of the Draft Terms of Reference to the Northern College Library, and public libraries in Kirkland Lake, New Liskeard, and Englehart, and asked that these documents be made available to the public during normal hours of operation.

4.2 Kirkland Lake Office

BEI provided a copy of the Draft Terms of Reference to the BEI office in Kirkland Lake, and ensured that this document was made available during regular hours of operation. No comments were received at this location.

5 MEDIA

5.1 The Northern Daily News, The Kirkland Lake Gazette, The Temiskaming Speaker, and CJKL/CJTT Radio

The Northern Daily News, The Kirkland Lake Gazette, and The Temiskaming Speaker are circulated throughout the Temiskaming Territorial District. *The Northern Daily News* originates in Kirkland Lake, but is distributed as far south as New Liskeard. *The Kirkland Lake Gazette* is circulated in the Town of Kirkland Lake and *The Temiskaming Speaker* is mainly distributed through New Liskeard and surrounding areas. BEI chose to distribute information through these newspapers because they were easily accessible to all residents of the Temiskaming Territorial District.

BEI issued a press release on May 12th, 2000 entitled, “Bennett Environmental Inc. Welcomes Full Environmental Assessment for Proposed Thermal Oxidation Plant in Kirkland Lake”. This press release was sent to the above newspapers and the CJKL/CJTT Radio, and is attached in Appendix H.

On June 9th, 2000 a notice was placed in each newspaper reporting that BEI volunteered for review under the Ontario Environmental Assessment Act (Appendix I).

BEI issued a news release on June 21st, 2000 entitled, “Bennett Environmental Inc. Issues Draft Terms of Reference Document, Seeking Public and Agency Comments for Proposed Plant in

Kirkland Lake”. It was sent to the three local newspapers and CJKL/CJTT Radio. This notice can be found in Appendix J.

BEI advertised both Open Houses, held in Kirkland Lake and New Liskeard, in local newspapers and in fifteen thirty-second radio spots on CJKL/CJTT Radio (advertisements and text of radio spots are attached in Appendix K).

6 WEBSITE COMMUNICATION

The Draft Terms of Reference was placed on the BEI Kirkland Lake project website (<http://www.bennettenv.com/kirkland.html>) on June 23/00. The Draft ToR was broken down section by section and visitors were invited to comment directly on-line. No comments were obtained through this form of stakeholder consultation.

7 APPENDIX A: CITIZEN'S ADVISORY COMMITTEE MINUTES OF THE MEETING #6

Sixth Citizen's Advisory Committee Meeting
June 26, 2000 7:00pm

Bennett Environmental Kirkland Lake Boardroom

Present:

Chris Rutherford
Sandy Del Pai
Robert Macdonald
Tracey McLeod

Regrets:

Tom Obradovich
Tony Robles

Daryl Firlotte Ministry of the Environment
Ken Gibson Ministry of the Environment

Flavio Campagnaro Bennett Environmental
Murray Greenfield Bennett Environmental
Carey Letts Bennett Environmental

Agenda:

1. Introduction
2. Draft Terms of Reference

Introduction:

- members of the Ministry of the Environment were introduced to the Committee
- Sue Gamble had to resign from the CAC Committee due to personal obligations, Sue sent Robert official resignation and she is confident with the full EA process occurring, she wishes the Committee the best and enjoyed the time she spent as a member
- Robert expressed concern over her replacement, are there EA regulations that we must comply with when considering a replacement
- the Ministry will look at the Committee, its representatives, see if it falls within guidelines of EA, they will contact the Project Coordinator from the Ministry (Ariane Heisey) for the guidelines
- Ministry of the Environment will have their internal comments by end of this week, way ahead of July deadline

Draft Terms of Reference

Comments and Concerns Regarding Draft Terms of Reference:

Sandy

Section 1., 2.1 pg. 2

- Negative pressure should be mentioned in this section, BEI agreed that this was a good comment and it will be added

MOE

Section 2.3 pg. 6

- There is a present freeze on hazardous waste importation into Ontario, originating source cannot be from outside Ontario, MOE concluded with brief history of TCI's situation with regards to importing PCBs. This freeze is subject to change.
- MOE will address this issue to Ariane, whether years down the road if regulations change, how will this effect the BEI proposal, again it is important to check with her first regarding issues such as this

MOE

pg. 3

- Change Ministry of Natural Resources to Ministry of Northern Development and Mines

MOE

- Is the address 233 Archer Drive the official site address? BEI said yes as they were able to basically pick any off number they wanted

MOE

pg. 12

- What has BEI done in regard to noise?
- BEI, has done description of noise in EA format
- MOE stressed that when it comes to the noise issue pay particular attention to history of noise issues on Archer Drive, area residents will become vocal, remember to address noise issue on both ends of Archer Drive
- BEI has hired "Hatch" Consultants to deal with the noise issue, can readdress in EPA design stage

Robert

pg. 13

- Do you have to identify each species, how do you measure effects?
- BEI will hire biologists to deal with these issues
- MOE stated that Ministry of Natural Resource should be contacted, the resident biologist is Peter Davis
- BEI is also hiring archeologist from New Liskeard to perform an archeological survey

MOE

- Beaverhouse, Matachewan and Wahgoshig should be contacted ASAP to set up a meeting in regards to the proposal
- Also hired IndEco to help define study areas, numerous experiences in EA, base mapping, social and cultural features

Sandy

- Is there mention of concentration of contaminants, there should be mention of it at some point
- BEI started out very comprehensive, then went back to Health Risk Assessment
- Cantox = go to no impact level then work back
- BEI looking at low concentrations of hazardous materials
- BEI concerned about starting exclusive list of hazardous materials, cannot list all 16 million
- Will have to develop a protocol for chemical concentration

Robert

- Will chemicals always be in soil?
- BEI stated that use "Slump Test", MOE uses this test for definition of solid material

- MOE stated that it is important for BEI to know the soils that would pass Slump Test, therefore should examine MOE definition of solid

Chris

- Commented that individuals from the CAC visited the selected site but the Committee did not go as a whole

Daryl

- Mentioned that he did vote on the site, but the decision was unanimous so his vote should not make a difference

Robert

- After tonight where do we go from here?
- Minutes from previous meetings will be made available to the public, have to record and make note of all comments, questions and answers (5 week comment period)
- Have to be very careful what included in EA as final report is legal and binding
- Reports can be viewed on website, Town Hall, Library, College and the Bennett Office
- MOE suggested that the CBC be contacted for public announcements
- CAC to continue to give comments over the 5 week period
- It is hoped that the CAC will attend Open House on Wednesday June 28

Next Meeting

To be announced.

8 APPENDIX B: TABLE OF CAC, PUBLIC AND GOVERNMENT COMMENTS AND BEI RESPONSES

Table 1. Comments Received from the Citizen’s Advisory Committee (CAC) during the Draft ToR Stage, and Subsequent Responses from Bennett Environmental Inc.

COMMENTER	COMMENT	RESPONSE
<p>CAC (each commenter’s name is given after comment at right)</p>	<p>Questions recorded by BEI during a meeting on June 26, 2000 in Kirkland Lake</p> <p>Comments provided on various sections of the Draft Terms of Reference</p> <ul style="list-style-type: none"> ▪ Section 1.2.1 – negative pressure of the soil storage building should be mentioned here (Sandy Dal Pai) ▪ Section 1.2.3 – third paragraph – Ontario Ministry of Natural Resources should be Ontario Ministry of Northern Development and Mines (Daryl Firlotte) ▪ Section 2.3.4 – not all CAC members visited sites 5 and 6a when trying to narrow down to overall preferred site. It was left up to each member to go and visit the site if they were interested, and snow was quite deep at the time (Chris Rutherford) ▪ Section 2.4 – third section – more detail on low concentrations and amounts or levels of contaminants accepted (Sandy Dal Pai) ▪ Section 7.2.3 – Wahgoshig First Nation should be added to the First Nation group (CAC member) ▪ Section 7.2.9 – CBC Sudbury should be added to the Media section (Daryl Firlotte) <hr/> <ul style="list-style-type: none"> ▪ Section 2.4 – third section – more detail on low concentrations and amounts or levels of contaminants accepted (Sandy Dal Pai) 	<p>Summary letter sent on July 21, 2000</p> <ul style="list-style-type: none"> ▪ Mention of the negative pressure of the soil storage building will be integrated into this section. ▪ The paragraph should read ‘Ontario Ministry of Northern Development and Mines’; the change will be completed. ▪ This comment has been noted and will be integrated into Section 2.3.4 of the Terms of Reference. ▪ We are currently preparing a response to this issue, and will provide you with the response as soon as possible. ▪ Wahgoshig First Nation will be added to the consultation plan. ▪ CBC Sudbury will be added to the consultation plan. <hr/> <p>Sent by regular mail on November 14, 2000</p> <ul style="list-style-type: none"> ▪ This issue will be dealt with during the Certificate of Approval stage.

Table 2. Comments Received from the General Public during the Draft ToR Stage, and Subsequent Responses from Bennett Environmental Inc.

COMMENTER	COMMENT	RESPONSE
Matthew Duke	<p>Sent by Email to BEI, June 30, 2000</p> <ul style="list-style-type: none"> ▪ Assuming 4000mg/day of particulate will be exhausted from the stack and the life span of such a facility being approximately 20 years before major retrofitting is required, will the 30 000 metric tonnes of particulate that will be deposited down wind from the plume pose any risk of bioaccumulation into the food chain and is that volume of particulate considered to be an acceptable risk in a region which has so much food production? ▪ Should trace levels of dioxins or other bioaccumulative matter gain access into food products produced in the Temiskaming area as a result of the proposed PCB incineration facility in Kirkland Lake, the impact would be devastating. What liability will BEI be assessed in such an event, and are they capable of bearing the financial responsibility of the nation's global export market should it fall into disarray in the event of a tainted food incident? Can not only Temiskaming, but also Ontario and Canada, risk such a possibility considering the enormous food export industry we as a Nation currently foster? 	<p>Sent by BEI regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ Please note that the Ontario A7 Guideline allows 14 mg/Rm³ particulate to be exhausted from the stack and the RSI facility has never exceeded 5 mg/Rm³. The proposed Kirkland Lake facility will exhaust approximately 350 g/hr of exhausted particulate resulting in 50,000 kg or 50 metric tonnes over 20 years of operation, assuming 300 days/year operation. ▪ The bioaccumulative potential of chemicals associated with particulates in facility emissions will be assessed. We will look at accumulation of all chemicals on soil and in the food chain (home garden produce, agricultural produce, beef and dairy products, game, berries, fish). Additionally, we will consider the accumulation of chemicals in mother's milk and subsequent exposures by nursing infants. ▪ Dioxins are presently being generated from many sources other than incineration of chlorinated compounds. Some of these sources include wood burning fireplaces, internal combustion engines, backyard trash burning and many more. ▪ The risk of catastrophic failure coupled with large release of contaminants is non-existent. The proposed facility will treat low level contaminated soils and solids. There are no active farms within 11 km to the proposed facility location. Preliminary modeling indicates that the proposed facility would not have an impact on agriculture. ▪ If there is ever an incident where liability is issue, the situation will be dealt with under civil liability. In order to begin operations at the proposed facility, we expect the Ministry of the Environment will require Bennett Environmental Inc. to comply with providing adequate insurance coverage as a condition of the operating permit.
Richard Denton	<p>Received Information Request Form on June 28, 2000</p> <ul style="list-style-type: none"> ▪ Concerned about the proposed project regarding safety to 	<p>Sent on September 22, 2000 by regular mail.</p> <ul style="list-style-type: none"> ▪ The human health risk assessment will consider the impact of the

	<p>the public and health issues</p> <ul style="list-style-type: none"> ▪ What might ease any concerns you have? – comparison to other methods of destruction ▪ More frequent monitoring of stack gases (more than once a year, maybe 2,3,4 times/year) ▪ What products would you receive – high concentration? You mentioned annual average, but what are the upper limit maximums? ▪ What is the threat to Chaput Hughes – maximum impact of 500m (it is 670-850m)? 	<p>facility on the people living near in the area, visiting the area, working near the facility, and/or participating in recreational activities in the vicinity of the facility. People ranging in age from a newborn infant to elderly adults will be considered in the assessment.</p> <ul style="list-style-type: none"> ▪ A Bennett Environmental Inc. background document titled “Rationale for the Chosen Technology” will include an appendix containing an evaluation of various treatment technologies; a number of which have been suggested by stakeholders. ▪ The process stack will be equipped with a continuous emission monitor to measure O₂, CO, CO₂, SO₂, total hydrocarbons, NO_x and HCl concentrations in the emitted gases. Values are logged to provide continuous regulatory monitoring capabilities. Parameters such as dioxins and furans are measured once a year during the annual test burn. The low frequency of these tests can be attributed to the fact that the measurement of the continuous monitor parameters can be used to ensure controlled and optimized operating conditions for the system, in addition to high cost. ▪ In the human health risk assessment (HHRA), a Table will be provided listing the 20 most potent chemicals BEI proposes to receive. An upper limit concentration will be set for each of these chemicals based on risk. We propose to accept any chemicals that are lower in potency and that are equal to or lower in concentration than the chemicals listed in the Table. ▪ The maximum point of impingement from the facility will be assessed, by considering this point of maximum impact, all residential areas, including Chaput Hughes, which will have equal or lower concentrations, will be included in the assessment. ▪ Air dispersion modeling incorporates a variety of time scales from ¼hr to annual periods and all terrain within a specified distance of the source. With annual periods, the area of maximum ground level concentration is normally located downwind of the prevailing wind direction(s). In this case, preliminary modeling has indicated that the maximum ground level concentrations from the main stack will be expected about 500m to the northeast of the
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		<p>site. Because the winds are relatively infrequent from the east and southeasterly directions, the annual ground level concentrations are much less at Chaput Hughes.</p> <ul style="list-style-type: none"> • For shorter periods of time, the maximum concentration is caused by a certain combination of wind speed and atmospheric conditions. This can be downwind of the prevailing wind direction but not necessarily so. Estimated concentrations on a 1/4hr basis must comply with Ontario air standards to be acceptable for permitting. For the main stack, the predicted maximum 1/4hr concentrations are located downwind at approximately 500m to the northeast (as is the annual case). For dust generated on site by trucks and other ground level sources on site (so-called fugitive dust), the predicted maximum concentration occurred at the property boundary near the entrance to the site with the preliminary modeling. In both of these 1/4hr cases, levels are lower at Chaput Hughes than the predicted maximums
<p>Ambrose Raftis</p>	<p>Received Information Request Form on June 28, 2000</p> <ul style="list-style-type: none"> ▪ Are the times where input is required from the public well explained? – Not clear on time lines ▪ The source and date of information used in the slideshow presentation ▪ Scope of proposed project should include alternative technology ▪ Could you include Englehart Library for documents? 	<p>Sent by regular mail on July 14, 2000</p> <ul style="list-style-type: none"> ▪ BEI is currently revisiting its Environmental Assessment process timelines. We will provide you with a clear timeline as soon as possible. ▪ The information presented on Slide 9 of the slideshow presentation was taken from a report entitled “Best Demonstrated Available Technology (BDAT) Background Document for Wood Preserving Wastes F032, F034 and F035”. It was written by the United States Environmental Protection Agency, Office of Solid Waste on April 15, 1996. Slide 9 has been included for your reference. ▪ We are currently preparing a response to this issue, and will provide you with this response as soon as possible. ▪ We have taken this request into account, and have provided the Englehart Library with a copy of the Draft Terms of Reference. BEI has added this library to our Office of Public Record list in the Terms of Reference, and we will continue to provide project documentation to this site. For your reference, BEI has also provided the following Offices of Public Record with copies of

	<ul style="list-style-type: none"> ▪ Scope of proposed project should include alternative technology ▪ Are the times where input is required from the public well explained? – Not clear on time lines 	<p>EA project documentation:</p> <ul style="list-style-type: none"> – Teck Centennial Library (Kirkland Lake) – New Liskeard Public Library – Englehart Public Library – Northern College (Kirkland Lake) – Bennett Office (Kirkland Lake) – Kirkland Lake Town Hall – Office of Local Municipalities of the Temiskaming Municipal Association <hr/> <p>Sent by regular mail on October 12, 2000 as part of response letter to comments on draft ToR dated July 27, 2000</p> <ul style="list-style-type: none"> ▪ A BEI background document 3 titled ‘Rationale for the Chosen Technology’ that evaluates various treatment technologies; a number of which have been suggested by stakeholders. ▪ The timeline is included in the Terms of Reference.
<p>Ambrose Raftis</p>	<p>Submitted letter to MOE dated June 27/00</p> <ul style="list-style-type: none"> ▪ Section 2.3.1 – Should include a broad and independent review of all alternative technologies including chemical process that are portable and thus can undertake treatment on site. ▪ Section 2.3.2 – The service area should not be extended to outside the province; transportation introduces additional GHG production, risks from accidents to humans and the environment; increases the amount of impact to one location and unfairly loads one location with residual contaminates from across the continent ▪ Section 2.3.3 – Site selection did not include impacts of technological failure. Site selection should be opened up to include the possibility of mobile equipment being the optimum solution for disposal of contaminated soils for Ontario. 	<p>Sent by regular mail on October 12, 2000</p> <ul style="list-style-type: none"> ▪ A BEI background document 3 titled ‘Rationale for the Chosen Technology’ that evaluates various treatment technologies; a number of which have been suggested by stakeholders. ▪ Service area issues will be addressed during the EPA approval process. Background document 1 “BEI Business Opportunity” addresses the service area issue. ▪ It should be noted that mobile equipment could suffer technological failure as well as centralized equipment. In the case of mobile equipment, there could be greater risk involved with the construction and dismantling of equipment each time location is changed. BEI is still in the business of considering mobile treatment if the project, permitting conditions and economics warrant it. These conditions however are not currently favourable so BEI has proposed a fixed treatment facility for Kirkland Lake, Ontario. A BEI background document titled, “Rationale for the

	<ul style="list-style-type: none"> ▪ Section 3.0 – The impacts should also include worst case example of ‘accidental stack releases’. Worst case scenarios that include extensive accidental releases and long term leaks should be studied to test the suitability of the location ▪ Section 3.1 – The description of the Potential impact to the environment should be modeled for all worst case scenarios to include impacts on water quality, air quality, and the impact on the farm pasture and feed quality. This study should include impacts on hunting and fishing as well as the farm produce. ▪ Section 3.2 – Economic studies should measure social and economic impact of worst case scenario surrounding population from both a local impact, as well as broader social perspective. Would farm community have financial impacts from a publicized stack release when it was selling farm produce such as milk and meat? What would be the perceived and real reaction from a market place that is focusing increasingly on food quality in the event of a stack release? 	<p>Chosen Technology”, discusses centralized treatment versus mobile treatment.</p> <ul style="list-style-type: none"> ▪ The human health risk assessment will consider the impact of the facility on the people living near in the area, visiting the area, working near the facility, and/or participating in recreational activities in the vicinity of the facility. People ranging in age from a newborn infant to elderly adults will be considered in the assessment. ▪ ‘Accidental stack releases’ will be considered in the assessment. As we have previously discussed, where the assessment indicates concern, or cannot definitely mitigate a concern, some type of mitigation measures will be developed if required (such as backup fuel; back-up generators; etc.) ▪ The focus of the human health risk assessment will be to assess the impacts of long-term releases (leaks) from the facility ▪ The assessment will consider impacts on water and air quality. It will consider the impact of the facility on people consuming fish and water from Gull lake as well as beef and dairy products and game from the area. ▪ The Environmental Assessment will identify and address worst case upset conditions at the facility. Potential environmental impacts as a result of worst case upset conditions will be addressed with mitigative measures. ▪ The nature of the socio-economic contribution of the agricultural community would be assessed and any impacts determined in view of its contribution to the social make-up of the area. Perceived and real impacts are complex. Impacts are related to: the availability, perceived quality, and price of alternatives, price of products, identification of the geographic origin of products, and the media coverage of a stack release. ▪ The marketplace responds to both real and perceived food quality issues. The specific reaction is as complex as any decision to purchase a product, and is therefore dependent on various factors
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	<ul style="list-style-type: none"> ▪ Section 3.2.3.4 – Transportation should be analyzed to determine if it is required and, what the impact would be in the event that no transportation was undertaken. The scope should be broadened to include alternatives to centralized processing of the contaminated material. ▪ Section 4.0 – Mitigation should include worst case scenario. ▪ Section 7.0 – Consultation Plan should include people who are down wind from the proposed site 	<p>as described.</p> <ul style="list-style-type: none"> ▪ A traffic impact study will identify current traffic levels. The study will identify a study area to include the regional highway network including Highway 11 from north of Highway 66 to south of Highway 112, Highway 66 east of Highway 11 and through the Town of Kirkland Lake and Highway 112 between Highways 11 and 66. ▪ Mitigation measures will be clearly defined in the EA document. ▪ The consultation plan in the draft Terms of Reference includes townships downwind from the proposed site. Section 7.2.1 Local Municipalities of the draft ToR states that each clerk of all municipalities belonging to the Timiskaming Municipal Association are asked to display a copy of the draft ToR. Members of the TMA include the townships of Chamberlain, Dack, Evantural, James, Beauchamp, Armstrong, Hilliard, Brethour, Kerns, Harley, Casey, Hudson, Dymond, Latchford and Coleman, most of which are downwind of the proposed facility. Also included are the Towns of Charlton, Englehart, New Liskeard, Haileybury and Cobalt, and the Village of Thornloe.
Hugh Reynolds	<p>Submitted comment form to BEI during Open House, June 28, 2000</p> <ul style="list-style-type: none"> ▪ What concerns do you have about the proposed project? – Downwind from site. ▪ Incineration not state of the art. AND ▪ What might ease any concerns you have? – Should consider technologies other than incineration 	<p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ The Environmental Assessment document will study proposed facility impacts on air, water and agricultural areas, within study areas specific to each feature. Further detail on specific impact studies will be described in the Terms of Reference ▪ A Bennett Environmental background document titled ‘Rationale for the Chosen Undertaking’ will evaluate various treatment technologies, a number of which have been suggested by stakeholders.
George Duncan	<p>Submitted comment form to BEI during Open House, June 28, 2000</p> <ul style="list-style-type: none"> ▪ What concerns do you have about the proposed project? – None 	<p>Sent by regular mail on July 17, 2000</p> <ul style="list-style-type: none"> ▪ As requested, Bennett will provide you with meeting and information updates during the Environmental Assessment

	<ul style="list-style-type: none"> ▪ Made no comments on the process, just wanted to be kept informed about the project 	<p>process.</p>
<p>Temiskaming Federation of Agriculture</p>	<p>Questions recorded by BEI during a meeting in Kirkland Lake, June 27, 2000</p> <ul style="list-style-type: none"> ▪ Where does the captured lime from the filter bags go? ▪ If the pH is low enough to go into a landfill, will the neutralized acids reform in anyway in the landfill? ▪ Is the scrubber a place where acid gases are concentrated? ▪ What percentage of material that comes out of the process goes to a landfill? ▪ Could we get a list of chemical concentrations coming out of the stack other than the 5 parameters measured? ▪ Are test burns planned or random? 	<p>Sent by regular mail on July 18, 2000</p> <ul style="list-style-type: none"> ▪ The captured lime from the filter bags is collected (on average 1,000 kg/day or approximately 1 m³) and disposed of properly depending on metal concentration and pH etc. For example, if the concentration of metals in the collected material meets Ontario Regulations and Guidelines, it may be disposed of in a non-hazardous waste landfill, however if the concentration does not meet Ontario Requirements, it must be disposed of in a hazardous waste landfill. ▪ No, neutralized acids are chemically bonded to the calcium and form a stable compound in the landfill. The hydrogen chloride becomes calcium chloride (CaCl₂ also known as chalk). The sulphur oxide becomes calcium sulphate (CaSO₄ also known as gypsum). (Regular mail July 18, 2000) ▪ Acid is not concentrated in the scrubber nor anywhere else in the process. The scrubber mixes lime with acid gases to form CaSO₄ or CaCl₂. Gas phase pollutants are converted to solid phase products that can be captured by the fabric filter at high efficiency. (Regular mail July 18, 2000) ▪ Based on the experience at RSI, about 15 % of the decontaminated material from the process is disposed of at landfills. (Regular mail July 18, 2000) ▪ The Récupère Sol Inc. facility in St. Ambroise, Québec is currently compiling a set of stack monitoring reports. It will be forwarded to you as soon as possible. (Regular mail July 18, 2000). ▪ Test burns are planned in advance. Material fed into the process tries to mirror a worst case scenario. The first test burn at RSI, had the feed material spiked with PCB to increase the feed concentration of PCBs. A test burn usually spans 3 days, each day consisting of a 6-hour test; each will be reported and compared at completion.)

	<ul style="list-style-type: none"> ▪ What is the regulatory body that monitors emissions etc? ▪ How often are test burns done? You could be operating off all of the year, nobody would know if there was a problem? ▪ Are there any third parties monitoring material that comes in? ▪ How many cubic meters of particulate matter are coming out of the stack? ▪ Why not expand the Québec site? Why build in Ontario and not BC? ▪ How difficult is it to change a permit? Will BEI try and change its permit? How long is a document legal (ex. Terms of Reference)? ▪ With the US EPA saying that high temperature destruction is the best demonstrated available technology, what does Canada say? Are we being experimented on? ▪ What about Swan Hills and the 25km radius around the facility where game should not be eaten? 	<ul style="list-style-type: none"> ▪ The Ministry of the Environment monitors emissions and operations of the facility. ▪ Test burns are conducted once a year. However, there are continuously monitored process parameters that represent combustion and waste destruction efficiencies for the process. These parameters are continuously recorded, and are available for review by the Ministry of the Environment at any time. ▪ Private certified laboratories test and characterize waste destined for thermal processing. ▪ Approximately 4 kg/day of particulate matter is emitted from the stack on a daily basis when the facility is operating. ▪ The Québec site is currently undergoing environmental assessment to support an increase in treatment capacity. BEI is also considering building a facility in BC. Market demand for our service will dictate expansion plans. ▪ If BEI wanted to change its permit after approval, any substantive change could trigger new and entire Environmental Assessment process. Stakeholders such as yourselves would then have the opportunity to comment on the proposed changes. ▪ The US EPA has larger monetary and technical resources dedicated to scientific research in the hazardous waste treatment area than is the case in Canada. There are many successful permitted hazardous waste treatment facilities, similar to BEI, operating in the US. The USEPA experiments and pays for the studies. Canada benefits from the scientific knowledge generated by the research and the people of Canada benefits from the environmental solution offered by BEI. ▪ The Swan Hills facility experienced an explosion incident. As a result, the Ministry of the Environment in Alberta set the 25km radius caution so that wildlife and plant sampling could be carried
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	<ul style="list-style-type: none"> ▪ How long would the material stay on-site? Is anything stored outside? ▪ Can MRR in Cornwall bid on contaminated sites too? ▪ Why is Kirkland Lake the site? ▪ Would it make more sense to have a facility located more southerly in Ontario? ▪ What is the timeframe for this project? ▪ Where does Unisphere fit in with Bennett Environmental Inc.? 	<p>out. Once results were returned, the Alberta MOE deemed it safe to eat wild game and plants in the area again.</p> <ul style="list-style-type: none"> ▪ The decontaminated material is typically held onsite about 7 days while the necessary lab tests are completed. It is moisturized so as to reduce dust. Bulk received soils are stored inside the proposed building. Packaged untreated materials in Bulk Bags or intermodal boxes may be stored outside until the containers are emptied into the waste processing and receiving building. ▪ MRR does not have a large capacity to deal with soils. In fact MRR sends us contaminated soil that they encounter in their marketing effort. ▪ BEI was invited to operate in Kirkland Lake, the Town of Kirkland Lake was and continues to be supportive of the technology and there is a great prospect of treated soil disposal in conjunction with mine reclamation. The handling and processing of contaminated soil is very similar to the operations involved in mining. These include crushing, screening, conveying, thermal treatment, handling of hazardous materials (cyanide, heavy metals). The decline in the number of operating mines in Kirkland Lake has resulted in a substantial reservoir of highly skilled labour. ▪ We have to consider many factors when we propose to locate a facility such as community support, infrastructure and disposal of treated soil. ▪ The Environmental Assessment (EA) process will take approximately 12 months to complete. The Certificate of Approval (C of A) will take another 2 to 3 months to complete after the EA is approved. Construction would commence immediately after the C of A is obtained and a local building permit is granted. ▪ Unisphere’s process generates a non-condensable gas that BEI can use to fuel the thermal process. If the option of BEI utilizing this gas was not present, the gas would be flared off or wasted.
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	<ul style="list-style-type: none"> ▪ How tall is the stack? ▪ What type of liability is there if there is a problem down the road with the BEI facility? Who will accept responsibility? ▪ Who are the stakeholders? ▪ How would you decide on 'environmental effects' for the Terms of Reference? ▪ How was the CAC chosen? 	<ul style="list-style-type: none"> ▪ The stack is approximately 40 metres in height (twice the height of the building). ▪ Liability would rest with BEI and its insurance company. A consultant in the EA study would address the level of risk, liability and will recommend the appropriate amount of insurance coverage. ▪ The stakeholders consist of municipalities within the Timiskaming District, environmental groups, general public who have shown an interest in the project, government review team members (chosen by the MOE), first nations groups, as well as federal and provincial government representatives. ▪ Environmental effects were decided on through a combination of experience at the Récupère Sol Inc. facility, government agencies, and various consultants looking at ongoing operations and a worst case scenario. ▪ The CAC was chosen based on BEI's requirement of a cross-section of knowledge from the community of Kirkland Lake. The Town of Kirkland Lake assisted in the selection of members. <p>Follow up action item: RSI parameters will be forwarded to TFA on _____ so we can update this for the record when we sent it.</p>
<p>Julie Wilkinson</p>	<p>Sent by fax to BEI June 30, 2000</p> <ul style="list-style-type: none"> ▪ These are additional concerns raised by Federation directors unable to attend June 27/00 meeting with TFA ▪ Section 3.1.2 - The boundary of concern for agricultural resources that may be affected by the facility should be district wide. 	<p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ ESG International has been retained to study the agricultural component of the Environmental Assessment. The purpose of the study will be to first identify potential contaminant pathways and the potential for biomagnification within food production processes and natural chains. An important factor in this analysis will be to identify the area that will be potentially impacted by air emissions from BEI's facility, as well as possible fugitive emissions from trains and trucks transporting the feedstock for the plant through the study area.

	<ul style="list-style-type: none"> ▪ Section 3.2.3.3 - dealing with human health risk assessment. Exposure pathways will include ingestion of locally grown meat, milk, etc. Locally produced product must be recognized as product produced within the region. ▪ Concern has been expressed that future agricultural markets may be negatively affected should the reputation of the region or agriculture become tainted. ▪ Mitigation measures must be clearly defined ▪ Liability insurance coverage must be more than adequate to accommodate a 'worst case' scenario. 	<ul style="list-style-type: none"> ▪ The study area will include all agricultural areas potentially impacted by BEI's facility in an 80-km radius from the proposed site. ▪ The bioaccumulative potential of chemicals associated with particulates in facility emissions will be assessed. We will look at accumulation of all chemicals on soil and in the food chain (home garden, provide, agricultural produce, beef and dairy products, game, berries, fish). Additionally, we will consider the accumulation of chemicals in mother's milk and subsequent exposures by nursing infants. Other pathways can be included if necessary, but the concerns expressed in this question should be addressed in the assessment. ▪ The concern about an area potentially becoming tainted and thereby affecting the agricultural reputation and viability of an area is very much related to the following issues: <ul style="list-style-type: none"> a) The occurrence or continued occurrence of any potential off-site contamination; b) The level and duration of any potential off-site contamination; c) The nature of the potential contamination e.g. human health-related, ecologically related, etc. d) The environmental persistence of any potential off-site contamination; e) The response to potential off-site contamination – e.g. timelines, independent testing, media involvement, etc.; and f) The specific identification of origin of agriculture products (many Ontario agricultural products do not specifically identify where they are produced). ▪ In the event that the region becomes 'tainted', impact management, remediation and compensation will be addressed. ▪ Mitigation measures will be clearly defined in the Environmental Assessment document. ▪ If there is ever an incident where liability is issue, the situation will be dealt with under civil liability. In order to begin operations at the proposed facility, the Ministry of the Environment will require Bennett Environmental Inc. to comply with an insurance
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<p>Stan Gorzalcynski 07/27/00</p>	<p>Received by fax at BEI on July 27, 2000</p> <ul style="list-style-type: none"> ▪ Section 1.1 - Proponent– Will BEI seek approval to treat all concentration levels of chlorinated organic compounds or only low concentrations of these compounds? If the latter applies, then what is the threshold level for low concentrations and how is this threshold level verified in actual field conditions? ▪ Section 1.2.3 – Decontaminated Solids and Residuals Handling– Will low temperature solids exiting from the process that require reprocessing, be covered in the environmental assessment process from the standpoint of necessary mitigation measures for fugitive dust control? Will the handling process be described in sufficient detail for a lay person to understand and decide whether concern is warranted? ▪ Section 1.2.3 - Will a remedial action procedure be described in the EA document for the non-compliance of solids discharge from process areas such as the afterburner, conditioning tower, etc., with regards to your referenced MOE document “Criteria for the Management of Inert Fill”? ▪ Given that the document ‘Criteria for the Management of Inert Fill’ is listed as ‘draft’, is it prudent to use this guide as evaluation criteria as changes to the document may adversely affect the operating cost of the proposed facility. ▪ Section 2.2 –Purpose of the Undertaking– It would be most beneficial to describe the geographic location from which the majority of waste stream would emanate and also, the anticipated amount of material available in this geographic location. One would expect that in a business plan, this type of market research would need to be conducted prior to 	<p>policy. Sent by regular mail on October 12, 2000</p> <ul style="list-style-type: none"> ▪ In the human health risk assessment (HHRA), a Table will be provided listing the 20 most potent chemicals BEI proposes to receive. An upper limit concentration will be set for each of these chemicals. The HHRA will use these chemicals and concentrations, therefore BEI proposed the acceptance of lower potency chemicals based on the level of impact from the high potency chemicals. ▪ All solids exiting the kiln process will be wetted so as to control fugitive dust emissions. The solids will be moved to the day piles for testing and if it is discovered that reprocessing is required, the solids will be moved by truck and redeposited in the unloading bay of the storage building. ▪ A background document titled, “Detailed Description of the Undertaking” describes the handling process in detail ▪ This will be dealt with in the EPA approval stage. In brief, non-complying materials due to organic compounds will be put back into the preparation building for reprocessing in the thermal oxidizer. Non complying materials due to metals will be disposed of at a licensed secure landfill or other disposal site approved by the Ministry of the Environment. ▪ The matter of management of inert fill will be dealt with in the EPA approval stage. ▪ Bennett Environmental has prepared a background document 1 titled ‘The BEI Business Opportunity’ and this will be attached with the Terms of Reference for your examination.
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	<p>receiving financing for the proposal.</p> <ul style="list-style-type: none"> ▪ Section 2.3.4 –Site in Kirkland Lake- Will the environmental assessment process include a complete evaluation of Kirkland Lake’s present emergency response infrastructure from the standpoint of appropriateness for handling serious incidents such as fire, explosion, etc., at either the immediate facility or surrounding facilities in the industrial park? ▪ Section 3.0 – Description of the Environment and Potential Environmental Effects - The establishment of valued eco-system components (VECs) is crucial for efficient EA execution. Without their establishment, the biophysical impact assessment can study everything and prove absolutely nothing of use. What is deemed important by either local residents or government agencies are worthy of investigation and generally achieve the highest level of acceptance by the general public when their protection is confirmed. In your ToR document the natural environment is described purely in vague terms with no VECs indicated. 	<ul style="list-style-type: none"> ▪ This question was passed on to Fire Chief Pat Allison of the Kirkland Lake Fire Department. The following is his response: ▪ “The fire fighters at the Kirkland Lake Fire Services are fully trained in hazardous materials response. We have what we feel are the equipment and materials required for such an emergency on board our rescue unit. ▪ An emergency response plan for your company will be designed by our personnel and a person or persons from your company once you are up and running in Kirkland Lake.” ▪ EcoTec Environmental Consultants Inc. has been contracted by BEI to conduct an Environmental Impact Assessment of the biophysical components of this project. EcoTec has provided the following answer to your question. ▪ You mentioned the need to establish valued eco-system components (VECs) in the assessment. As part of EcoTec’s evaluation of the biophysical environment the following components will be investigated in order to establish a baseline of existing conditions in terms of valued eco-system components: <ul style="list-style-type: none"> – Areas of Natural and Scientific Interest (ANSI’s) (life sciences); – Areas of Natural and Scientific Interest (ANSI’s) (earth sciences); – The identification of significant wetlands; – Identification of valued habitat and ecosystems utilized by wildlife for migratory, foraging, breeding and nesting habitats; and – Significant vegetation units, including Environmentally Sensitive Areas (ESA’s), significant terrestrial habitat, unique or uncommon vegetation associations, etc. ▪ In order to establish this baseline, secondary source information will be gathered from communications with the following local and governmental agencies: <ul style="list-style-type: none"> – OMNR district biologists; – OMNR Natural Heritage Information Centre database – OMNR district ecologists and foresters; – Local trap line information; – Local forestry companies within the nearby vicinity; and – Readily available information from interest groups and the general
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	<ul style="list-style-type: none"> ▪ Section 3.0 - Defining the spatial boundary of your area of investigation is critical. This area must be based on rational explanations and supported by historic information from similar proposals. Your ToR document does not define any spatial boundaries for the biophysical impact assessment. ▪ Section 3.0 – Temporal boundaries are just as critical as spatial boundaries and yet they are not defined in your ToR document. A common problem in gathering baseline data during the biophysical impact assessment is accounting for natural variance in the biotic communities. Establishing a temporal boundary of sufficient length is critical for this adjustment and can only be done once the practitioner has decided on the scope of the biophysical assessment. ▪ Section 3.1.1.2 – Water quality - The prevailing wind directions for the Kirkland Lake area are southwest – west – northwest. Gull Lake is the community’s source of drinking water and this lake lies approximately 2km northeast of the proposed facility. Given that Gull Lake and the proposed facility form a southwesterly trending, lineament relationship, should this lake not be used for baseline data acquisition versus Murdock Creek at proposed in the ToR document. ▪ Section 3.2.3.4 – Transportation - What consideration will 	<p>public.</p> <ul style="list-style-type: none"> ▪ Through communications with these local agencies/individuals, EcoTec expects to obtain the greatest detail of information on this area. ▪ Based on an evaluation of secondary source information, a field survey will be conducted to confirm, and to augment as necessary, the secondary source information. This survey will extend for a one-kilometer radius surrounding the center of the 44-acre Bennett property. ▪ Spatially, it has been determined that this survey will extend for a one-kilometer radius surrounding the center of the 44-acre Bennett property. This boundary was identified by the MOE through case studies and past experience, in order to assess potential influence areas for industrial land uses. A buffered zone of 1 kilometer allows us to understand the surrounding areas on a larger scale from which a more comprehensive study and analysis can be conducted. ▪ Temporally, the EcoTec assessment intends to span over the course of two seasons with the remaining two season’s data gathered from background data sources, to account for the natural variances within the biotic community over time. If the two season’s worth of background data is not available, EcoTec will study the two seasons. We recognize that in order to fully comprehend the potential significance of the area, data must be available to observe variances in the seasons. ▪ Gull Lake does lie downwind of the proposed thermal treatment plant during prevailing southwesterly winds. Another factor is the distance. Gull Lake is approximately 2km downwind of the site, which is outside the area where the maximum ground level concentration is expected based on preliminary air dispersion modeling. From a water quality viewpoint, Murdock Creek is in fact the stream that drains Gull Lake. Thus any changes in Gull Lake should be detected at Murdock Creek. ▪ Sealed trucks will be considered a mitigative measure for the
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	<p>be given in the environmental assessment process toward bioaccumulation effects of fugitive dust emissions emanating from haulage trucks travelling along the Highway 11 corridor between North Bay and Kirkland Lake? Should sealed trucks be considered as a mitigative measure for this concern, then what type of quality control procedures will be developed and monitored by BEI for seal placement and efficiency in the haulage trucks?</p> <ul style="list-style-type: none"> ▪ Section 3.2.3.4 – What methods will be employed in the environmental assessment process to evaluate the effects of accidental dumping of untreated haulage truck contents into roadside water bodies? ▪ Section 3.2.3.4 – How will your environmental assessment evaluate the impact of increased truck traffic along the Highway 11 corridor with regard to the perceived reluctance of tourists to travel this highway due to the truck traffic? Any such evaluation must be cumulative in nature as this highway is already host to considerable truck traffic with little provision for passing slow moving vehicles. ▪ Section 4.0 –Proposed mitigation measures and net environmental effects –How are impact predictions going to be developed in the biophysical assessment portion of the EA? 	<p>concern of fugitive dust emissions along the transportation route. In addition, BEI will describe the level of service expected from transportation providers vis-à-vis the requirements of the Transportation of Dangerous Goods Act (TDGA). Any trucking company that is hired to deliver contaminated materials to the Kirkland Lake facility will be inspected for proper sealing before admittance to the storage building.</p> <ul style="list-style-type: none"> ▪ Ecoplans Limited will develop an Environmental Spill Management Plan that will outline a systematic framework for managing emergencies in the event of an accidental spill of contaminants during transport to and from the proposed hazardous solid waste treatment facility. The plan will include standard protocols for identifying, responding and mitigating any environmental spills within the study area to ensure that any potential environmental impacts are minimized. ▪ The plan will address and apply to the specific types of environments within the study area and will address both the natural (i.e. surface watercourses, wetlands, forests and open fields) and social (i.e. agricultural, parkland, residential, commercial, and industrial) environments. The plan will be included as part of a separate study document from the Traffic Impact Assessment. ▪ Highway 11 is a provincial roadway linking many wilderness areas and communities. A number of alternative routes exist for tourists to use – depending on their origin and destination. Review of MTO data suggests that truck levels are now lower than they were in the recent past. ▪ EcoTec Environmental Consultants will be gathering baseline data for the following resources: <ul style="list-style-type: none"> – Fisheries and aquatic habitat; – Wildlife, soil, vegetation and groundwater; and – Forestry
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	<ul style="list-style-type: none"> ▪ Section 4.0 – Will hypotheses be generated solely from baseline data acquisition or will computer modeling be employed using baseline conditions for calibration? ▪ Section 4.0 – Will mitigation measures for potential impacts also include long-term monitoring programs designed to substantiate the effectiveness of the mitigation measures? ▪ Section 10 –Proposed schedule - It appears from this section, that the actual EA process will occur between October 27th, 2000 to November 17th, 2000 – a period of 3 weeks. How is such a short time frame able to detect natural variance in the biological community during baseline data acquisition? The shortest temporal boundary that should be considered in any biophysical assessment is 12 months. 	<ul style="list-style-type: none"> ▪ Impact predictions specific to the above resources will be assessed based on the baseline data. ▪ Computer modelling will be employed in both the Human Health Risk Assessment and the Air Dispersion and Emissions Modelling studies. Impact hypotheses will be generated from baseline data acquisition for the remainder of the impact studies. ▪ Long term monitoring programs are a possibility for the monitoring of mitigation effectiveness. This will be further deliberated during the Environmental Assessment. ▪ A revised project timeline will be included in the Terms of Reference document. Also, please review the methodologies for the biophysical impact assessment in the ToR.
<p>Wahgoshig First Nation</p>	<p>Received in a letter sent by fax to BEI, July 26, 2000</p> <ul style="list-style-type: none"> ▪ We thank you for notifying us of your plans for a ‘High Temperature Thermal Destruction Facility in Kirkland Lake’ ▪ We feel we must impress upon you how strongly opposed we are to this plan, due to the nature of the materials to be handled, transported, waste discharged, as well as emissions, after incineration. ▪ We feel that this facility, as well as the operation of this facility, would degrade the environment, while at the same time, pose a health risk of a wide range and variety, including atmosphere and water quality. 	<p>Sent by regular mail on October 17, 2000</p> <ul style="list-style-type: none"> ▪ BEI has included the Wahgoshig First Nation among other First Nation organizations in the Consultation Plan for the Environmental Assessment (EA). We appreciate your concerns regarding the nature of the materials to be handled, transported, and discharged from our proposed facility and would be pleased to discuss these matters with you at your convenience. As our EA documentation becomes available for comment, we will ensure that you receive the material so that we can continue to discuss the project with you. ▪ In your letter you indicated that you would be willing to speak with us regarding the points of view of the Wahgoshig First Nation. We appreciate this kind offer and would like to meet with you in November to discuss your concerns and the progress of our work. We will be in contact with your office to set up a time to meet.
<p>Mike Ring, On-line comment</p>	<p>Submitted through on-line submission form at the BEI website on October 31, 2000:</p>	<p>Sent by regular mail on November 13, 2000</p>

	<ul style="list-style-type: none">▪ Does this facility in any way have anything to do with the recently defeated plan for a Kirkland Lake dump site for Toronto's garbage?	<ul style="list-style-type: none">▪ BEI's proposal for Kirkland Lake has nothing to do with the Adams Mine Proposal. Our company is proposing to locate a High Temperature Thermal Treatment Facility in Kirkland Lake for the treatment of soil and solid material contaminated with chlorinated and non-chlorinated organic contaminants.▪ Our company is studying the proposal under the <i>Ontario Environmental Assessment Act</i> and is at the stage of submitting the Proposed Terms of Reference for the project. The Proposed Terms of Reference will detail what BEI proposes to study for the Environmental Assessment.
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FINAL LIST OF GRT

Doug Carr, Director, Negotiations, Ontario Native Affairs Secretariat
720 Bay Street, 4th Floor, Toronto, Ontario, M5G 2K1 416-326-4771

Mr. Winston Wong, Heritage Planner, Northern Region, Ministry of Citizenship, Culture and Recreation
400 University Avenue, 4th Floor, Toronto, Ontario, M7A 2R9 416-314-7147

Pat Allison, Fire Chief, Town of Kirkland Lake Fire Department
Postal Bag 1751, 3 Kirkland Street West, Kirkland Lake, Ontario, P2N 3K3 705-567-3400

Rolanda Elijah, Jr. Environmental Officer, Department of Indian Affairs and Northern Development YES
25 St. Clair Avenue East, 5th Floor, Toronto Ontario, M4T 1M2 416-952-9601

Rob Dobos, Head EA Section, Environment Canada, Ontario Region NO
PO Box 5050, 867 Lakeshore Road, Burlington, Ontario, L7R 4A6 905-336-4953

John Malczak, Sr. Policy Advisory, Policy Branch, Ministry of Northern Development and Mines NO
99 Wellesley Street West, Toronto, Ontario, M7A 1W3 416-327-8285

Dr. Pat Logan, Acting Medical Officer of Health, Timiskaming Health Unit NO
221 Whitewood Avenue, Box 1240, New Liskeard, Ontario, P0J 1P0 705-647-8133

Paul F. Marleau, Regional Corridor Control Officer, Ministry of Transportation YES
447 McKeown Avenue, Suite 301, North Bay, Ontario, P1B 9S9 705-497-5456

Ray Valaitis, Ministry of Agriculture, Food and Rural Affairs, Rural Planner YES
RR#3, 95 Dundas Street, Brighton, Ontario, K0K 1H0 613-475-1630

Eleanor Moro, Ministry of Natural Resources YES
Kirkland Lake District, Swastika, Ontario, P0K 1T0 705-568-3244

Michael Aldred, Supervisor Planning and Engineering, Town of Kirkland Lake YES
Postal Bag 1757, 3 Kirkland Street West, Kirkland Lake, Ontario, P2N 3K3 705-567-9361

Ontario Northland
555 Oak Street East, North Bay, Ontario, P1B 8L3 705-472-4500

Table 3. Comments Received from the Government Review Team during the Draft ToR Stage, and Subsequent Responses from Bennett Environmental Inc.

All GRT members were sent a copy of the Draft ToR, a Covering Letter and an Acknowledgement of Receipt form (prepared by MOE) on June 20/00 by Express Post.

COMMENTER	COMMENT	ACTION by BEI
<p>Doug Carr, Director, Negotiations, Ontario Native Affairs Secretariat</p> <p>Bill Taylor Associate Negotiator Ministry of the Attorney General, Ontario Native Affairs Secretariat</p>	<p>Sent by fax to BEI, June 26, 2000</p> <ul style="list-style-type: none"> ▪ BEI should consult with, not merely notify the Beaverhouse and Matachewan First Nation ▪ It is not clear from the draft Terms of reference how the company determined these communities should be consulted. ▪ Any aboriginal community which exercises constitutionally protected aboriginal and treaty rights, such as hunting, fishing and trapping, for example, in an area which could be potentially impacted by the proposed undertaking, even worse case scenario, should be consulted directly by the proponent. ▪ Should you want advice in these regards, please advise as to study areas and potential impacts. 	<p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ The Terms of Reference will describe the consultation with the Beaverhouse and Matachewan First Nations. ▪ BEI will provide a background document entitled, “Public Consultation for the Draft Terms of Reference”, which will describe how First Nation organizations were chosen for consultation. ▪ BEI consulted with Mike Mazzetti of the Ministry of Natural Resources in Timmins, Ontario with respect to hunting, fishing and trap lines in the study area for the proposed facility. None of the above (hunting, fishing and trap lines) are located within the study area based on a 50km radius from the proposed facility.
<p>Elaine Lynch, Manager, Ontario Ministry of Citizenship, Culture and Recreation</p>	<p>Sent by fax to BEI July 7, 2000, included a letter dated June 28, 2000</p> <ul style="list-style-type: none"> ▪ We have no comments and do not require any further involvement in this proposal. ▪ From a recreation point of view, we have no comments to provide. The Ministry will provide comments on the impact of the proposal on any heritage resources. Please contact Mr. Michael Johnson, Manager of Heritage Operations 	<p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ Thank you for taking the time to review the draft Terms of Reference for Bennett Environmental Inc.'s proposal for Kirkland Lake, Ontario. ▪ Your name has been removed from the Government Review Team (GRT) list as per your request. Mr. Winston Wong, Heritage Planner for the Northern Region of the Ministry of Citizenship, Culture and Recreation has been consulted with and will remain on the GRT for the

<p>Michael Johnson, Ministry of Citizenship, Culture and Recreation</p> <p>Winston Wong (Planner) Ministry of Citizenship, Culture and Recreation</p>	<p>Sent by fax to BEI July 12, 2000</p> <ul style="list-style-type: none"> ▪ We are satisfied the proposed Terms of Reference will address our mandate, but wish to be involved in the preparation of the EA - * preferred option only – when the project has a preferred site plan. 	<p>remainder of the Environmental Assessment.</p> <p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ Thank you for taking the time to review Bennett Environmental Inc.'s draft Terms of Reference. ▪ We are pleased that you will remain on the Government Review Team for the remainder of this Environmental Assessment. You will be provided with a copy of the formal Terms of Reference upon submission to the Ministry of the Environment for your records.
<p>Pat Allison, Fire Chief, Town of Kirkland Lake Fire Department</p>	<p>Sent by fax to BEI July 12, 2000</p> <ul style="list-style-type: none"> ▪ We are satisfied the proposed Terms of Reference will address our mandate, but wish to be involved in the preparation of the EA – * at your convenience 	<p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ Thank you for taking the time to review Bennett Environmental Inc.'s draft Terms of Reference. ▪ We are pleased that you will remain on the Government Review Team for the remainder of this Environmental Assessment. You will be provided with a copy of the Terms of Reference upon submission to the Ministry of the Environment for your records.
<p>Lea Litzgus, Department of Indian Affairs and Northern Development</p> <p>Rolanda Elijah, Jr. Environmental Officer Department of Indian Affairs and Northern Development</p>	<p>Sent by fax to BEI July 12, 2000</p> <ul style="list-style-type: none"> ▪ We will be able to provide comments to the EA & Approvals Branch by: July 28, 2000 - *signed by Rolanda Elijah (416-952-9601) <p>Sent by fax to BEI August 2, 2000</p> <ul style="list-style-type: none"> ▪ We feel that there will be no foreseeable impacts on areas of concern to DIAND at this time. There may be First Nations that have an interest in the proposed facility, address and contacts are provided. ▪ Provided info for Matachewan, Wahgoshig, Temagami, and Mattagami in Ontario, and Timiskaming in Quebec, and 	<p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ The five First Nations presented in your letter as well as the Beaverhouse community will be part of the public consultation for the Environmental Assessment.

	contacts for the Quebec Region Environmental Manager for DIAND.	
Heather Roberston, Ministry of Municipal Affairs and Housing	<p>Sent by fax to BEI July 12, 2000</p> <ul style="list-style-type: none"> ▪ We will be able to provide comments to the EA & Approvals Branch by: July 28, 2000 ▪ Conversation with Ariane Heisey revealed Ms. Robertson spoke to Ms. Heisey directly to be removed from GRT. 	<p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ Thank you for taking the time to review the draft Terms of Reference for Bennett Environmental Inc.'s proposal for Kirkland Lake, Ontario. ▪ Your name has been removed from the Government Review Team (GRT) list as per your request.
<p>Rob Dobos, Environment Canada, Ontario Region</p> <p>Rob Dobos, Environment Canada, Ontario Region</p>	<p>Sent by fax to BEI July 12, 2000</p> <ul style="list-style-type: none"> ▪ We will be able to provide comments to the EA & Approvals Branch by: July 28, 2000 <p>Voicemail on July 27, 2000 from Mr. Dobos</p> <ul style="list-style-type: none"> ▪ Won't be able to get comments in by July 28, 2000 but will be able to get them in a few days late (the week of July 31 – August 4) <p>Sent by fax to BEI from MOE August 9, 2000</p> <ul style="list-style-type: none"> ▪ A monitoring plan should be developed for the operation phase of the facility to determine whether PCBs and other toxic substances are being released to the environment, with appropriate contingencies identified to prevent further releases. ▪ The ToR should include all regulatory requirements that may affect this proposal. There are several federal regulations related to PCB management under the <i>Canadian Environmental Protection Act</i> (CEPA) and the <i>Transport of Dangerous Goods Act</i> (TDGA), of which the proponent should be aware. The proponents of PCB management facilities should become familiar with the scope and 	<p>Sent by regular mail on October 13, 2000</p> <ul style="list-style-type: none"> ▪ The Environmental Assessment will study an air monitoring plan that will be structured to provide an indication of the existing levels of ambient air pollutants in the vicinity of the proposed site at Kirkland Lake, Ontario. Baseline monitoring will be used to characterize existing air quality for the proposed project. The targeted substances include dioxins & furans, PCBs, PAHs (MOE 32 substance list), metals (health list except mercury), PM10 or TSP, VOCs (TO-14 list). ▪ The Environmental Assessment will also help to determine what sort of pre-operation and operation monitoring is required further to the baseline monitoring. ▪ BEI will consider all relevant legislation. An all-embracing government review team has been and will continue to be consulted throughout this Environmental Assessment which will assist BEI in the consideration of all applicable legislation.

	<p>applicability and requirements of: Chlorobiphenyls regulations; Storage of PBC Material Regulations; PCB Waste Export Regulations; Export and Import of Hazardous Waste regulations; and Transportation of Dangerous Goods Regulations, and ensure compliance with those requirements that are applicable to this proposal.</p> <ul style="list-style-type: none"> ▪ We recommend that the designs, measures, management, and operational practices for this facility that will prevent the release of PCBs into the environment be identified and selected as the preferred alternatives throughout the EA process. ▪ Since federal regulations are currently undergoing modifications, the proponent must maintain current knowledge of these changes. ▪ The Terms of reference should acknowledge any regulatory requirements for the protection of water quality as a result of construction and operation of the proposed facility. ▪ Section 3.2.1.1 –the EA should include a consideration of any potential transboundary air quality impacts from the operation of the facility to the province of Québec. ▪ Section 3.2.1.2 of the ToR should identify the need to assess the potential for impacts to the water quality of nearby Canadian fishery waters and identify measures to prevent adverse impacts. The potential for transboundary (interprovincial) water quality impacts should also be considered. ▪ Consultation of the appropriate agencies should be made to identify any nearby surface waters that may be designated to be ‘fish habitat’ by DFO. 	<ul style="list-style-type: none"> ▪ The designs, measures, management and operational practices for the proposed facility are discussed in background document 4, ‘Rationale for Incinerator Design’, and will also be dealt with in EPA approval stage. ▪ We will continue to maintain an up-to-date understanding of federal regulations that may pertain to our proposed facility. ▪ As stated in point two, BEI will consider all relevant MOE guidelines for work done in preparation of the Environmental Assessment. ▪ The air quality consultant will be using 50-km radius study area, as this is the limit of the model. Impacts are not expected beyond property limits. ▪ The biophysical assessment portion of the EA includes identifying potential environmental effects based upon a review of existing information, field evaluations and communications with various review agencies and interest groups. Mitigative measures for any potential impacts will be dealt with in the Environmental Assessment document. ▪ The biophysical assessment portion of the Environmental Assessment includes collecting data from existing sources and will be complemented by a detailed field survey. Existing data sources to be reviewed include the following: <ul style="list-style-type: none"> – Ontario Ministry of Natural Resources (OMNR) Habitat Inventory;
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	<ul style="list-style-type: none"> ▪ Environment Canada does not expect to have any obligations as a Responsible Authority pursuant to Section 5 of CEAA for this proposal, and thus will not be triggering a federal EA. Other relevant federal agencies should be consulted to determine whether any other CEAA triggers exist. ▪ Environment Canada would appreciate continued participation during the EA process. Rob Dobos is main contact. 	<p>Inventory;</p> <ul style="list-style-type: none"> - OMNR District Fisheries Management Plans - OMNR District Land Use Guidelines - Discussions with OMNR district fisheries biologists - MOEE Well and Surface Water Quality Records - Topographical, geological and other maps and aerial photography; and - Readily available information from interest groups and the general public <ul style="list-style-type: none"> ▪ Louise Knox Ontario Regional Office Director of the Canadian Environmental Assessment Agency was contacted in early August with regards to CEAA triggers. Ms. Knox circulated information to federal agencies she felt would be relevant. ▪ Environment Canada will remain on the Government Review Team for this project and you will be provided with a copy of the Terms of Reference upon submission to the Ministry of the Environment.
<p>John Malczak, Ministry of Northern Development and Mines</p> <p>Brian Smithies, Corporate Policy Secretariat Northern Development and Mines</p>	<p>Sent by fax to BEI July 12, 2000</p> <ul style="list-style-type: none"> ▪ We will be able to provide comments to the EA & Approvals Branch by: July 28, 2000 <p>Sent by fax to BEI Sept 15, 2000, letter dated August 30, 2000</p> <ul style="list-style-type: none"> ▪ In considering this project, careful and thorough study will be needed to ensure that adequate environmental safeguards are in place. In addition, to obvious concerns over public health and safety, contamination of the natural environment could adversely impact on the local and regional economy and on the investment attractiveness of Kirkland Lake and surrounding region. In addition, steps need to be taken to ensure that transportation of hazardous waste in Northern Ontario by either the Ontario Northland Transportation Commission or other carriers does not impose a risk to the 	<p>Sent by regular mail on October 13, 2000</p> <ul style="list-style-type: none"> ▪ The EA will describe the existing natural, economic, social and cultural environment under a number of criteria (described in the Terms of Reference). These descriptions will be based on the most up-to-date information and project mapping available at the time the work is conducted. ▪ For each of the potential environmental effects identified, proposed mitigation measures to reduce or eliminate these effects will be identified. Priority will be given to avoidance of the effect, wherever possible. As well,

	<p>Northern environment.</p> <ul style="list-style-type: none"> ▪ Bennett indicates that disposal of residual material might be made at mine sites. They should identify which former (including Crown lands classified as abandoned mine sites) and operating mine sites might be used and indicate the nature/composition of the residues, some of which might still be classified by MOE standards as hazardous waste after Bennett’s thermal oxidation treatment. Once identified, MNDM must be consulted to review disposal plans and to determine if potential modifications are required to existing mine closure plans under <i>The Mining Act</i>. 	<p>appropriate monitoring, contingency plans and management plans will be identified.</p> <ul style="list-style-type: none"> ▪ Based on the mitigation measures proposed, the expected resultant net effects that are likely to occur after the mitigation measures have been applied will be identified. In the event that significant impacts are unavoidable, and no suitable mitigation measures are available, a compensation program may be proposed. ▪ Bennett Environmental will indicate in the EA that waste will be disposed of in appropriately certified facilities as required. The use of potential mine sites is not part of the undertaking of the Environmental Assessment. However, as BEI identifies potential mine sites for disposal, BEI will notify MDNM of sites under consideration and will prepare appropriate disposal plans in consultation with MNDM.
<p>Dr. Colin D’Cunha, Director, Public Health Branch Ministry of Health</p> <p>Bill Hunter Senior Inspection Consultant, Public Health Branch Ministry of Health</p>	<p>Sent by fax to BEI July 12, 2000, included a letter dated July 7, 2000</p> <ul style="list-style-type: none"> ▪ Although the Public Health branch is interested in the public health aspects of this EA, we recommend that you request input from the local Medical Officer of Health for the health unit in which the EA is located. Therefore, we have forwarded your letter to the Medical Officer’s of Health – name provided is Dr. Logan ▪ We appreciate you taking the time to bring this EA to our attention and have no further comment at this time. 	<p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ Thank you for taking the time to review Bennett Environmental Inc.'s draft Terms of Reference. ▪ I request that your Ministry participate for the portion of this process that deals specifically with the Environmental Assessment (EA) document. You will be provided with a copy of the draft EA document upon submission to the Ministry of the Environment for your records. ▪ Dr. Pat Logan of the Timiskaming Health Unit will stay on the Government Review Team for the remainder of the Terms of Reference portion and the EA document portion of the EA process.
<p>Dr. Pat Logan, Acting Medical Officer of Health, Timiskaming Health Unit</p>	<ul style="list-style-type: none"> ▪ A. Heisey indicated Dr. Logan sent an acknowledgement of receipt form indicating they would provide comments by July 28/00. BEI did not receive a copy of this form. 	<p>Sent by regular mail on October 13, 2000</p> <ul style="list-style-type: none"> ▪ Thank you for taking the time to review Bennett Environmental Inc.'s draft Terms of Reference. ▪ We are pleased that you will remain on the Government Review Team for the remainder of this Environmental Assessment. You will be provided with a copy of the

		formal Terms of Reference upon submission to the Ministry of the Environment for your records.
<p>Ray Mantha, Ministry of Transportation</p> <p>Paul F. Marleau, Regional Corridor Control Officer, Ministry of Transportation (originally Ray Mantha)</p>	<p>Given to BEI July 20, 2000 by MOE</p> <ul style="list-style-type: none"> ▪ We will be able to provide comments to the EA & Approvals Branch by : July 28, 2000 <p>BEI received letter fax on July 21, 2000 from MOE</p> <ul style="list-style-type: none"> ▪ We have reviewed the documentation provided and wish to advise you that at this time the Ministry has no objections to this proposal. ▪ We would request that the Ministry be included on the list of government reviewers on page 18 of the Draft Terms of Reference ▪ The Ministry wishes to be involved in the review of the Draft EA. Kindly send all future correspondence to my attention. 	<p>Sent on by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ Thank you for taking the time to review Bennett Environmental Inc.'s draft Terms of Reference. ▪ We are pleased that you will remain on the Government Review Team for the remainder of this Environmental Assessment. You will be provided with a copy of the Terms of Reference upon submission to the Ministry of the Environment for your records.
<p>Marlo Johnson, Northern Region, Ministry of Transportation</p>	<p>Sent by fax to BEI September 15, 2000.</p> <ul style="list-style-type: none"> ▪ Section 3.2, which describes how Bennett Environmental plans to measure impacts, is not specific regarding the study boundaries or level of detail. A review of the transportation-related components of the environment to be studied in Section 3.2.3.4 suggests that the analyses to be conducted are limited to local access routes (i.e. in the Kirkland Lake area). Detailed analyses of the impact of the increase in local traffic, including hourly, monthly, or other peak periods should be undertaken. Should, for example, lane widening or the addition of turning lanes be necessary for safety reasons, it will be Bennett Environmental's responsibility to pay for the improvements. ▪ The scope of the study of transportation impacts should be broadened to consider impacts on Highways 11, 66, and 112. 	<p>Sent by regular mail on October 13, 2000</p> <ul style="list-style-type: none"> ▪ The Proposed Terms of Reference has been significantly improved with respect to detail for each of the impact assessment studies. A number of the impact assessments describe study boundaries and detail how both existing environment and potential environmental effects will be studied. ▪ Information concerning the traffic impact assessment has been described below in point #2. ▪ The traffic impact assessment will determine existing traffic conditions in the vicinity of the BEI facility based on the most recent available hourly traffic counts undertaken by MTO along the following intersections of the study highway network: <ul style="list-style-type: none"> – Archer Drive at Highway 66 – Highway 66 at Highway 112 – Highway 66 at Highway 11

		<ul style="list-style-type: none"> - Highway 11 at Highway 112 ▪ In addition, based on the morning and afternoon peak period intersection turning movement counts for key intersections listed above as provided by Ministry of Transportation (MTO), the traffic impact assessment will identify intersection approach volumes. ▪ A review will be conducted of the available collision databases compiled by MTO and the Town of Kirkland Lake for the affected area road network. A summary will be developed of the proportion of vehicle collisions involving trucks for each of the highway sections described below: <ul style="list-style-type: none"> - Highway 11 between Highway 65 and Highway 112 - Highway 11 between Highway 112 and Highway 66 - Highway 11 between Highway 66 and Highway 101 - Highway 66 between Highway 11 and Highway 112 - Highway 66 between Highway 112 and Main Street - Highway 66 between Main Street and Kirkland Lake East Traffic Lights - Highway 66 between Kirkland Lake East Traffic Lights and provincial border - Highway 112 between Highway 11 and Highway 66 ▪ Looking at the following items will assess the existing environment: <ul style="list-style-type: none"> - Existing traffic conditions - Morning and afternoon peak period intersection turning movement counts - Intersection approach volumes - Vehicle collisions ▪ Considering the following will assess the potential environmental effects: <ul style="list-style-type: none"> - Effects of an increase in truck volumes on level of service of the highway approaches to Kirkland Lake - Incremental effect of site-related traffic at key study area intersections - Effects of additional truck traffic through sensitive areas
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	<ul style="list-style-type: none"> ▪ A rotary kiln incinerator operates 24 hours a day, continuously, ideally with shutdown only a few days per year for maintenance. With a feed of up to 50,000 kg/hr (50 tonnes), as stated on p.11 of the proposed Terms of Reference, 24 hours per day, the kiln will be oxidizing 2200 tonnes of waste daily, or about 780,000 tonnes per year (assuming a nominal 10 days for kiln shutdown, maintenance and start-up). This waste must be transported to the facility. ▪ The proposed service area is “NAFTA signatories” (p.6). MTO assumes that roughly two-thirds of the waste treated to date at the Quebec RSI facility were not from Ontario. We conclude from these two statements that Bennett’s planned market is largely outside Ontario, and Canada. This means long haul distances to the Kirkland Lake location. ▪ The Ministry of Transportation suggests that the scope of consideration of the transportation components in the description of the baseline environment and the prediction of environmental effects include: <ul style="list-style-type: none"> a) An analysis of the advantages and disadvantages to the environment of rail haul versus truck transport of wastes to the proposed site, particularly for long haul distances; b) An analysis of impacts on the provincial highway system, and in particular, Highways 11, 66, and 112; and 	<ul style="list-style-type: none"> - Potential for traffic collisions of trucks carrying waste to BEI in Kirkland Lake - A qualitative estimate of the effects of spilled hazardous or dangerous waste material from trucks transporting waste to BEI in Kirkland Lake ▪ The proposed 50,000kg/hr treatment rate is the upper limit when treating ‘ideal’ wastes. During typical operation, production would average approximately 200,000 MT/yr. The proposed service area is NAFTA signatory countries to ensure sufficient supply for a viable operation. Background document 1 “BEI Business Opportunity” discusses in detail the rationale for the waste source. ▪ Bennett Environmental Inc. does not feel it would be valuable at this time to study rail haul versus truck transport of the waste to the proposed site. From past projects, BEI and our customers view rail haul as a difficult way to coordinate transportation. BEI or our clients have direct the control over truck transport that is lacking in rail transport. ▪ Also, the waste being transported to the BEI facility is coming from numerous diffuse waste sources and this poses problems for the practicality of rail haul to the facility ▪ A traffic impact study is being expanded to cover traffic impacts to Highway 11, 66 and 112.
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	<p>c) Consultation with communities along the proposed haul routes.</p> <ul style="list-style-type: none"> ▪ We also suggest that the Ministry of transportation be included as part of the Government Review Team (page 18). 	<ul style="list-style-type: none"> ▪ Consultation with communities along the proposed haul routes ▪ communities that are located along the proposed haul routes in the Temiskaming Territorial District are included to the extent of the following: <ul style="list-style-type: none"> ▪ Towns or villages with a representative on the Temiskaming Municipal Association are supplied with all project documentation, ▪ Local Road and Local Service Boards are supplied with all project documentation, ▪ Open Houses have been and will continue to be held in Kirkland Lake and New Liskeard ▪ Project documentation is located in the following Offices of Public Record: New Liskeard Public Library, Englehart Public Library, Kirkland Lake Public Library, and Northern College in Kirkland Lake. ▪ We are pleased that the Ministry of Transportation will remain on the Government Review Team for this project.
<p>Ray Valaitis, Ministry of Agriculture, Food and Rural Affairs, Rural Planner</p>	<p>Letter provided to BEI on July 20, 2000 by MOE dated July 7, 2000</p> <ul style="list-style-type: none"> ▪ The proposed steps as outlined within the proposed “Terms of Reference and Appendices” address the agricultural and rural issues of this Ministry 	<p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ Thank you for taking the time to review Bennett Environmental Inc.'s draft Terms of Reference. ▪ We are pleased that you will remain on the Government Review Team for the remainder of this Environmental Assessment. You will be provided with a copy of the Terms of Reference upon submission to the Ministry of the Environment for your records.
<p>Eleanor Moro, Ministry of Natural Resources</p>	<p>Given to BEI on July 20, 2000 by MOE</p> <ul style="list-style-type: none"> ▪ We will be able to provide comments to the EA & Approvals Branch by: July 28, 2000 ▪ Please include our office in any opportunities for government agencies to review material. <p>Letter sent to MOE July 19/00, sent to BEI July 20/00</p> <ul style="list-style-type: none"> ▪ Section 7.0 – references to the Temiskaming Regional District should be corrected to Temiskaming Territorial District 	<p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ This change will be made to the Terms of Reference document.

	<ul style="list-style-type: none"> ▪ Section 7 – the Township of Black River Matheson is a municipality that is not within the TTD but may have an interest in the project. Consideration should be given to including that municipality in the consultation effort ▪ Section 7 – Round Lake Area Service Board has been identified as being included in the consultation. However a number of local service and local roads boards exist in the TTD eg (Savard, Lebel (King Kirkland), Grenfell). Consideration should be given to including local boards in the consultation effort. An up to date list of contacts for these boards is probably available from the Ministry of Northern Development and Mines ▪ Section 10 – the proposed schedule does not allow for baseline data to be collected over a range of seasons before the completion of the EA. Although section 3.2 indicates that in the risk assessment conservative assumptions will be used where data is lacking, it would be advantageous for monitoring purposes to have baseline data collected through the seasonal range. Consideration should be given in the EA to developing a baseline study that is completed prior to the plant becoming operational. ▪ Please keep us informed of any further opportunities to comment on the Environmental Assessment for this project. 	<ul style="list-style-type: none"> ▪ The Township of Black River-Matheson will be added to the public consultation of this Environmental Assessment. ▪ The Ministry of Northern Development and Mines, Kirkland Lake, provided BEI with an up-to-date list of local service boards and local road boards. Both boards will be included in the public consultation chapter of the Environmental Assessment. ▪ The Environmental Assessment document will consider developing a baseline study that collects data over a range of seasons. The biophysical study for example, will collect data for two different seasons, and rely on background data for the remaining two seasons. If there is insufficient background data, the study will collect data for the two remaining seasons. ▪ BEI will continue to include the Ministry of Natural Resources in this Environmental Assessment process.
<p>George Elliot, Supervisor Planning and Engineering, Town of Kirkland Lake</p> <p>Michael Aldred, Town of Kirkland Lake</p>	<p>Received by BEI by fax on July 25/00</p> <ul style="list-style-type: none"> ▪ We have no comments and do not require any further involvement with this proposal. But wish to receive all printed material. (Signed by Michael Aldred – Mr. Elliot no longer with town of Kirkland Lake) 	<p>Sent by regular mail on September 22, 2000</p> <ul style="list-style-type: none"> ▪ Thank you letter and confirmation that Town of Kirkland Lake will remain on GRT list for the Environmental Assessment process.
<i>MOE Distribution List</i>		
<p>Andy Dominski, Director, Waste Unit Application Evaluation Section, EAA Branch</p> <p>A.M. Pennanen, Hazardous Waste</p>	<p>Received from MOE by fax on August 9, 2000</p> <ul style="list-style-type: none"> ▪ Sections 1.2.2 and 2.3.1 – restricted to a preselected 	<p>Sent by regular mail on November 14, 2000</p> <ul style="list-style-type: none"> ▪ The proposed Terms of Reference for BEI's EA have been

<p>Project Engineer, Waste Approvals Unit</p>	<p>incineration and control technology combination even though one purpose of the EA process is to provide a planning tool that steers toward selection of best alternatives with public input</p> <ul style="list-style-type: none"> ▪ Same – does not appear to be a satisfactory analysis and rationale for not evaluating alternatives ▪ Same – it is expected that the EA would at least address alt. methods of carrying out the undertaking by reviewing the advantages and disadvantages of alternative incineration technologies and alternative pollution control technologies ▪ Why was the ‘proprietary 5th generation incinerator’ selected? What makes it the best alternative among other incinerator designs available in the world? Which combination of those options is the best option and why in view of stack emissions, stability of contaminants in residues, quantity and quality of residues, disposal of residues, operational factors etc.? ▪ The EA should consider alternatives to the undertaking, namely a mobile incineration facility. The discussion does not appear to constitute a proper evaluation of advantages and disadvantages of mobile versus fixed facility alternatives which should address transportation of hazardous wastes to a fixed facility among other issues. ▪ Section 1.2.3 – regarding solids from the kiln and APC etc.. – depending on the type of waste processed, it might be better to establish whether or not a specific residue is to be considered hazardous waste; BEI should be able to provide some data from its RSI operations with respect to quality of APC residues; the EA should also include data on expected quantities of various residues. ▪ Section 2.3.2 - Service Area– should be supported by data on expected waste quantities and types. What quantities and types of waste are expected to be available in Ontario and Canada and what quantities and types of wastes can be handled by existing facilities. What types of wastes and what quantities would have to be imported to ensure 	<p>prepared as permitted by clause 6(1)(c) of the EA Act, i.e. they set out in detail the requirements for the preparation of the EA. BEI's rationale for its Thermal Oxidizer process technology, which includes an evaluation of a large number of remediation technologies, is described in Background Document 3. The rationale for the specific incinerator design is described in Background Document 4. BEI's evaluation of alternative sites is described in Background Document 5.</p> <ul style="list-style-type: none"> ▪ The EA will include data on expected quantities of various residues. ▪ The proposed Terms of Reference no longer refer to a service area for the facility. Conditions respecting service area are more appropriately considered in the EPA approvals process.
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	<p>efficient utilization of the proposed facility. ToR should clarify that import of PCB wastes from outside Canada into Ontario is not being proposed.</p> <ul style="list-style-type: none"> ▪ While the Ministry does not have any formal hazardous waste incineration guidelines, the proponent would be wise to consider requirements – operational requirements, emission limits, monitoring requirements, etc. – that exist in other jurisdictions worldwide for similar facilities. In particular, EA should consider the proposed Canada Wide Standards as well as CCME National Guidelines for Hazardous Waste Incineration Facilities which suggest SCC at temp of 1200°C with 2sec retention time for facilities that treat halogenated or polynuclear wastes. ▪ Section 2.4 – How does the proposed capacity (50000kg/h) relate to the service area referenced above? ▪ Section 3.2.1.1 – should not be restricted to maximum ground level concentrations at POIs but should include concentrations at elevated receptors if they exist as well as ambient air quality in general; air issues should be addressed in view of compliance with both POI concentration stds and guidelines as well as ambient air quality criteria together with projected changes in ambient contaminant levels. ▪ Section 3.2.1.1 Air Quality Effects – contaminants of concern should also include PM₁₀ and PM_{2.5}, emission sources should include fugitive emissions in addition to stacks and vents ▪ Section 3.2.1.4 –Vegetation- should include any sensitive species, availability of background soil and vegetation data would allow later verification of the potential impact of facility 	<ul style="list-style-type: none"> ▪ Background document 4, ‘Rationale for Incinerator Design’ states that BEI proposes to use the MOE A-7 Guideline and CCME guidelines for Hazardous Waste Incineration Facilities. ▪ The proposed capacity of the facility is not directly related to service area. BEI’s business opportunity is fully discussed in Background Document 1. ▪ Air issues will be addressed in view of compliance with POI concentration standards and guidelines as well as ambient air quality criteria. ▪ The Air environmental effects will include PM 10 or TSP and emission sources will include fugitive emissions as well as emissions from stacks and vents. ▪ The biophysical impact assessment proposes to conduct secondary source vegetation investigations to identify the following: <ul style="list-style-type: none"> ▪ identification of surface vegetation ▪ significant vegetation units, including Environmentally Sensitive Areas (ESA’s), Areas of Natural and Scientific
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	<ul style="list-style-type: none"> ▪ Section 3.2.3.3 – not clear why the Human Health Risk Assessment is tabled under Social and Cultural Environment; Assessment relating to ‘air media’ under the human health risk assessment should be based on an emission study and dispersion modeling report that consider all emissions from facility (fugitive as well as stack). ▪ Section 7.0 – Consultation - may need to be expanded, since hazardous wastes may be transported to the facility from out of province and outside of Canada., therefore there may be a need to notify public along transportation routes of the proposed Undertaking ▪ References to the EPA approvals need to be revised to reflect the correct section numbers (s.9 for air approval and s.27 for waste disposal site approval) 	<p>Interest (ANSTI’s), significant terrestrial habitat, unique or uncommon vegetation associations, etc;</p> <ul style="list-style-type: none"> ▪ areas of rare, threatened or endangered species; and, ▪ significant specimens <ul style="list-style-type: none"> ▪ Based on evaluation of secondary source information, field surveys will be conducted to confirm or augment as necessary, the secondary source information. This survey will extend for a one-kilometer radius surrounding the center of the 44-acre Bennett property. ▪ The Human Health Risk Assessment will be based on an emission inventory and air dispersion modeling study that considers all emissions from the proposed facility including fugitive and stack. The HHRA is tabled under Social and Cultural Environment because, although not a perfect fit under the social and cultural environment category, this categorization was better than inclusion under the other broad categories for describing the environment. ▪ There is ongoing work towards identifying transportation routes. When they are identified the public will be notified. ▪ The public will be notified at the specific intersections that are being studied through public notice (open houses, newspaper ads, radio announcements), we will continually review the need for notification as work progresses. The proposed Terms of Reference details the extensive consultation plan that covers the town of Kirkland Lake and beyond. ▪ This change has been integrated into the Proposed Terms of Reference.
<p>David Hollinger, Supervisor, Water Resources Technical Support Section</p> <p>Shawn Kinney, Hydrogeologist, Water Resources Unit, Technical Support</p>	<p>Sent by fax to BEI July 12, 2000</p> <ul style="list-style-type: none"> ▪ We will be able to provide comments to the EA & Approvals Branch by: July 28, 2000 <p>Received from MOE by fax on August 9, 2000</p> <ul style="list-style-type: none"> ▪ For the protection of groundwater resources in Ontario, Guideline B-7 and Procedure B-7-1 apply to sites operating under Certificates of Approval. The feasibility of 	<p>Sent by regular mail on October 12, 2000</p> <ul style="list-style-type: none"> ▪ A&A Environmental will examine groundwater quality and near-surface hydraulic properties, using 8 60m boreholes already present on the property. This study will involve

<p>Section</p>	<p>maintaining B-7 compliance indefinitely at the chosen site should be addressed by the proponent as part of the EA process</p> <ul style="list-style-type: none"> ▪ Would expect proponent to explore in detail the proposed groundwater monitoring plan, specifically with regard to monitoring locations and depths, sampling protocols, frequency, and analytical parameters; must ensure that monitoring program is geared towards sampling for all parameters which may be contaminating material stored at facility, especially when establishing baseline groundwater and surface water quality. ▪ The draft terms of reference identify water quality as an environmental asset potentially affected by operation of the proposed facility. The document specifically addresses soil and drinking water in a proposed human health risk assessment. This is a positive aspect, however, the proponents did not specifically allude to any provincial groundwater protection guidelines which apply to the proposed facility (as they did with air guidelines). In case they simply are not aware of the Ontario guidelines (their operations to date have been outside Ontario) it would be prudent to clarify their obligations in this regard at the outset. ▪ There should be an immediate action plan as soon as ANY hazardous contaminants are found in on-site soils or groundwater; for parameters which have Ontario Drinking Water Objectives policy B-7 compliance is acceptable, for 	<p>sampling to determine baseline levels of applicable contaminants, measuring groundwater levels, conducting slug tests to determine transmissivity of the bedrock, and mapping the location of all surface water bodies on the site.</p> <ul style="list-style-type: none"> ▪ A&A will also conduct a baseline surface water quality study, including mapping of the location of all surface water bodies on the site, including wetlands; sampling of all surface water bodies to determine baseline levels of applicable contaminants; sampling of Murdock Creek upstream, downstream and at the site to determine baseline levels of contaminants; and documentation of past environmental quality data of any affected surface water bodies. ▪ A&A Environmental proposes to implement a groundwater monitoring plan after the proposed site is developed for the facility. A lot of work is required for the site such as blasting, sloping etc. so the general topography of the site will be changing significantly therefore it seems best to implement the monitoring plan after all these changes. ▪ For each of the potential environmental effects identified, proposed mitigation measures to reduce or eliminate these effects will be identified. Priority will be given to avoidance of the effect, wherever possible. As well, appropriate monitoring, contingency plans and management plans will be identified. ▪ Based on the mitigation measures proposed, the expected resultant net effects that are likely to occur after the mitigation measures have been applied will be identified. In the event that significant impacts are unavoidable, and no suitable mitigation measures are available, a compensation program may be proposed. ▪ Mitigative measures for any potential impacts will be dealt with in the Environmental Assessment document.
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	<p>hazardous contaminants that have no ODWO the allowable level should be zero.</p> <ul style="list-style-type: none"> Proponent must develop unambiguous trigger levels (perhaps contaminant concentrations above zero of background) and define realistic contingency measures (with the first step being immediate re-sampling). 	<ul style="list-style-type: none"> A comprehensive water management program will be instituted. All water onsite will be collected, tested, and when operating used in the process. Details of this will be defined in the EPA approval stage.
<p>Ray Potvin, Supervisor, Air, Pesticides and Environmental Planning Gordon Donnelly Senior Combustion /Incineration Engineer, Standards Development Branch</p>	<p>Received from MOE by fax on August 9, 2000</p> <ul style="list-style-type: none"> The air pollution control system consists of a gas conditioning chamber, acid gas scrubbing, powdered activated carbon injection and a fabric filter. This should be adequate to treat the flue gases to the emission limits in the ministry's Guideline A-7. The proponent should include test results from its Récupère Sol Inc. facility in the EA document to show that these limits can be met in practice. Also, the unit should be required to meet the Canada-wide standards for mercury (50 µg/Rm³ at 11% O₂ for hazardous waste incinerators) and dioxins (80 pg I TEQ/Rm³) I agree with the 99.9999% destruction and removal efficiency for the destruction of PCBs. This is also a requirement of the ministry's mobile PCB destruction regulation. However, the document did not, and should, specify the decontamination criteria for the residual organics in the solids exiting the kiln unless the authors of the document were referring to the 1998 MOE draft document, <i>Criteria for the Management of Inert Fill</i>. In any case, this should be clarified. The document mentions continuous emission monitors but does not specify which parameters will be continuously monitored. This information should be supplied in the EA. 	<p>Sent by regular mail on October 12, 2000</p> <ul style="list-style-type: none"> BEI would be pleased to include Récupère Sol Inc. continuous monitoring test results as well as test burn results as testimony to the ability to meet the Ministry's Guideline A-7. In background document 3, 'Rationale for the Chosen Technology' BEI proposes to meet the Canada wide standards for mercury and dioxins and furans as well as the ministry's Guideline A-7. BEI intends to comply with all Ministry guidelines, policies and regulations. The EA document will discuss the proponent's intent to use the MOE "Criteria for the Management of Inert Fill" document for decontamination criteria for residual organics in the solids exiting the kiln. A continuous emission monitor (CEM) will monitor A-7 parameters HCl, CO, CO₂, total hydrocarbons, O₂, NO_x and SO₂, on a continuous basis. Temperature will also be continuously monitored at various locations in the system.

	<ul style="list-style-type: none"> ▪ The terms of reference do not deal with how the process will be operated and controlled. The operation and control details should be supplied in the EA. 	<p>This information will be in the EA.</p> <ul style="list-style-type: none"> ▪ An introduction to this information can be found in background document 2 titled, “Description of the Undertaking”. Further detail will be provided in the EPA approval applications.
<p>Hristo Hristov (Gilles Castonguay), Senior Regulatory Toxicologist, Human Toxicology and Air Standards Section</p>	<p>Received from MOE by fax on August 9, 2000</p> <ul style="list-style-type: none"> ▪ It is unclear whether hot water from this facility will reach any surface water and how it will be handled ▪ The document provides a clear decision framework for the metals expected to be found in the decontaminated materials. It is unclear what will be done if the material does not meet the requirements of Appendix – “Part 4 Proposed Schedule 4 Leachate Quality Criteria”. 	<p>Sent by regular mail on October 12, 2000</p> <ul style="list-style-type: none"> ▪ There will be no hot water from this facility reaching any surface water. The details of water handling will be dealt with during the EPA approval stage. ▪ The following excerpt is from background document 2, ‘Description of the Undertaking’, and addresses the above issue. ▪ “If the decontaminated material fails to meet any of the organic criteria in the inert fill guidelines, it will be re-treated through the kiln. If the decontaminated material passes these organic criteria, then the metals levels will be screened to determine whether the solids qualify for beneficial re-uses. Beneficial uses could include use of the treated material for reclamation of mine hazard lands and non-rehabilitated mining properties as defined by the Ontario Ministry of Natural Resources. ▪ The metals pass level for beneficial use will be established on a site by site basis. Acceptable metals levels will be determined by either the generic criteria or by conducting a site specific risk assessment (SSRA) and risk management study as defined in the “Guideline for Use at Contaminated Sites in Ontario.” ▪ If the metals exceed the levels allowed in the SSRA and beneficial use is not possible, then the decontaminated solids will be tested according to the draft “Toxicity Characteristic Leaching Procedure (TCLP), Method 1311” proposed by the MOE on February 2, 2000 in EBR instrument number RA00E0002. If the metals meet the levels in “Appendix - Part 4 Proposed Schedule 4 Leachate Quality Criteria” as described in Environmental Bill of Rights (EBR) Instrument RA 00E0002, then the material will be classified as non-hazardous and disposed of in a non- hazardous waste landfill. ▪ Treated solids that are classified as hazardous by the TCLP protocol will be disposed of at a licensed secure landfill.”

	<ul style="list-style-type: none"> ▪ Section 3.2.3.3 – statement “This list of chemicals to be assessed will not be representative of all chemicals that can be received at the facility, but will be representative of the materials with the highest potential risk that will be received..” is confusing ▪ The ToR should be reviewed by an ecologist and an engineer knowledgeable about the technology to be used and the corresponding risks. 	<ul style="list-style-type: none"> ▪ This statement has been removed from the Terms of Reference. ▪ The Terms of Reference will be reviewed by the Government Review Team as well as by various departments of the Ministry of the Environment.
<p>Ray Potvin, APEP Supervisor, Northern Region Office, Ministry of the Environment D.J. Racette, Air Quality Analyst, MOE</p>	<p>Sent by fax to BEI July 12, 2000</p> <ul style="list-style-type: none"> ▪ We will be able to provide comments to the EA & Approvals Branch by: July 28, 2000 <p>Received from MOE by fax on August 9, 2000</p> <ul style="list-style-type: none"> ▪ Section 3.1.1.1 – very little ambient air quality data available in Kirkland Lake area, what data is BEI proposing to use? <ul style="list-style-type: none"> ▪ Section 3.1.1.1 – a pre-operational survey should be conducted by the proponent to establish baseline ambient concentrations of at least the following contaminants: PCB, VOCs, PAH, furans, dioxins, HCl, NO, CO, total 	<p>Called June 26/00; Draft ToR received June 22/00</p> <p>Sent by regular mail on October 12, 2000</p> <ul style="list-style-type: none"> ▪ A BEI hired consultant will measure ambient air quality during a 2-week air monitoring screening program in the Kirkland Lake area. The consultant will also conduct a point source and major area source emission inventory. The emission inventory component will require a search of Ministry records to obtain application information on emission rates from permitted facilities in the area ▪ Baseline monitoring will determine present concentrations in the vicinity of estimated points of impingement, at potentially sensitive receptors, and at background levels. Short term monitoring (2-3 weeks) is expected to be undertaken at the following sites: Chaput Hughes; Kirkland Lake; downwind of Northland Power and TCI; near Main Street and Archer Drive; south of the BEI property (near Highway 112); and at the property fence line. A number of these sites may be altered or combined, based on logistics and sampling requirements. Particulate monitoring will also be performed near Archer Drive to characterize existing dust loading from traffic to existing facilities. ▪ The Environmental Assessment will study an air monitoring plan that will be structured to provide an indication of the existing levels of ambient air pollutants in the vicinity of the proposed site at Kirkland Lake, Ontario. Baseline monitoring

	<p>reduced sulphur, SO₂, PM₁₀ (SO₄ and metals, inc. Hg).</p> <ul style="list-style-type: none"> ▪ Since the facility proposes to treat materials contaminated with pesticides and herbicides, the potential combustion by-products of these compounds need to be considered in determining the list of ambient air quality parameters to be monitored (eg ammonia, arsenic and several others). ▪ Section 3.2.1.6 – pre-operational noise should be determined. The survey should be conducted for at least 12 months prior to construction of the facility, BEI should submit a monitoring proposal to MOE for approval ▪ Section 3.2.1.1 – proponent must comply with the guideline for preparing a source inventory and dispersion modeling report. Information required to perform dispersion modeling shown in original letter ▪ Section 1.2.1 – control measures should be applied for decontamination of truck exteriors to prevent contamination of BEI property, access routes and Kirkland Lake Township. ▪ Section 1.2.1 – What are BEI’s plans to continue ambient monitoring for comparison of downwind contaminant concentrations to baseline values following facility 	<p>will be used to characterize existing air quality for the proposed project. The targeted substances include dioxins & furans, PCBs, PAHs (MOE 32 substance list), Metals (health list except mercury), PM10 or TSP, VOCs (TO-14 list).</p> <ul style="list-style-type: none"> ▪ The Environmental Assessment will also help to determine what sort of pre-operation and operation monitoring is required further to the baseline monitoring. ▪ Heavy metals, of which arsenic is one, will be monitored during source testing as well as during operation. Ammonia could be monitored if assessment shows that it is present in the emissions in quantity and frequency. ▪ In accordance with the requirements of MOE noise guidelines, the consultant will review site plans and proposed equipment to be installed, and will also examine existing ambient sound levels at residences in Chaput Hughes and on Queen Street, in Kirkland Lake. ▪ Zoning and area maps of Kirkland Lake and Chaput Hughes will be used, and the consultant will take ambient noise measurements to establish baseline conditions and Class designation of the BEI property. The consultant will make two site visits to conduct 2-day continuous monitoring noise surveys and take spot measurements, as required. ▪ BEI will hire a consultant to perform an emission inventory and air dispersion modeling report. The report will comply with the MOE guideline for preparing such a report. ▪ This issue will be dealt with during the EPA approval stage. ▪ At the Récupère Sol Inc. facility in St. Ambroise, Québec, a consultant carries out ambient air monitoring and the governments TAGA unit completes random checks.
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	<p>decommissioning?</p> <ul style="list-style-type: none"> ▪ Compliance with Regulation 346 does not necessarily ensure that other impacts such as odour are not going to cause adverse effects. ▪ Regulation 346 does not explicitly limit compliance to be based upon emissions from a single facility. An implication of Regulation 346 is that compliance with a point of impingement limit be based upon all sources of emissions in an airshed. 	<ul style="list-style-type: none"> ▪ We will comply with Regulation 346 and maintain ongoing liaison with the Ministry of the Environment with respect to Regulation 346.MOE WRT Reg. 346.
<p>Jim Deem, Timmins District Office, Ministry of the Environment</p>	<p>Sent by fax to BEI July 12, 2000</p> <ul style="list-style-type: none"> ▪ We will be able to provide comments to the EA & Approvals Branch by: July 28, 2000 ▪ Section 1.2.1 – Should show that the building will be maintained under negative pressure. ▪ Section 1.2.3 – Should be changed to show that MNDM not MNR is responsible for mining lands in Ontario. ▪ Section 1.2.3 – The discussion on the ‘metals pass level’ indicates that the Ontario Site Cleanup Guidelines will be used and an SSRA will be conducted for each site. This may not be necessary as the numbers in Tables A-D in the same guideline may serve the same purpose. The conducting of an SSRA is a time consuming, expensive and possibly unnecessary procedure when other options are available. ▪ Section 2.1 – Still references importation of hazardous waste from outside of Canada. This issue should be clarified with Waste Management Policy Branch and the proponent advise accordingly. ▪ Section 2.3.2 – Also contains a reference similar to the one in Section 2.1 and should be deleted. ▪ Section 2.3.4 – The ToR should indicate what evaluation criteria will be used for the site selection process and how 	<p>Sent by regular mail on October 13, 2000</p> <ul style="list-style-type: none"> ▪ The storage building will be maintained under negative pressure and is described as such in background document 2, ‘Description of the Undertaking’. ▪ This change has been made. ▪ The SSRA is no longer a part of the Proposed Terms of Reference for the Environmental Assessment. ▪ The proposed service area is NAFTA signatory countries to ensure sufficient supply for a viable operation. This issue may be further addressed in the EPA approval stage. Background document 1 “BEI Business Opportunity” discusses in detail the rationale for the waste source. ▪ A detailed site selection process was carried out that pre-dates the Environmental Assessment process and involved extensive

	<p>they will be used to eliminate sites. The pre-selection of a site is unwise, as there may be factors that should have been taken into consideration but were not. As well, the public should have the opportunity to comment on the evaluation criteria. This comment is also applicable to “Table 2 – Criteria for Site Selection” on Pg 9. As well, does the company not have to show how the criteria were used in the site selection process?</p> <ul style="list-style-type: none"> ▪ Page 10, paragraph 3 – The CAC did not visit the sites as a group but some individuals did make site visits. My understanding, from a CAC meeting I attended, is that not all members made the visit. This should be reflected in the ToR if it was the case ▪ Section 3.1.1.2 – This description should also include a description of the water quality of Otto Lake, Round Lake and the Blanche River, as they are the ultimate receivers. The potential for adverse effects on these receivers will also have to be documented. ▪ Section 3.2.1.1 – Should also include point of emission levels. ▪ Section 3.2.1.6 – The noise assessment will have to include an assessment on the closest receptor 	<p>public consultation on alternative sites and the evaluation criteria. Sites were identified by the public and by the Town and were included in the analysis. The site selection process was carried out by the Citizen’s Advisory Committee and their preferred site and condition regarding the site was adopted by BEI. When the site selection process was reviewed at a public open house, no public comments were provided. There is a detailed account of the site selection process in the background document attached. The site selection process will not be part of the Proposed Terms of Reference for the Environmental Assessment.</p> <ul style="list-style-type: none"> ▪ Information regarding site selection and CAC participation is described in detail in background document 5 titled ‘Rationale for Site in Kirkland Lake’. ▪ BEI is not aware of any provincial requirement to sample secondary or tertiary receiving waters. We will meet the Reasonable Use Policy for groundwater and the Provincial Water Quality Objectives for surface water. ▪ An effective monitoring program normally includes surface waters on site and the immediate receiving water body, which is Murdock Creek. We feel that concentrating resources on an effective on-site and near-site monitoring program will eliminate the need for far-site sampling. ▪ Envirometrex will conduct a point source and major area source emission inventory. The emission inventory component will require a search of Ministry records to obtain application information on emission rates from permitted facilities in the area. Area source data on residential wood and fuel combustion, open area burning and transportation will be estimated from the Ontario emission inventory. ▪ In accordance with the requirements of MOE noise guidelines, Hatch will review site plans and proposed equipment to be installed, and will also examine existing ambient sound levels
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	<ul style="list-style-type: none"> ▪ Section 3.2.3.4 – Notes that the company will be using a screening procedure developed by the USEPA. Is this acceptable or are they required to utilize a ‘made in Canada’ procedure? There should also be mention of who will be reviewing this risk assessment; that is MOE, the local Health Unit or the Ministry of Health ▪ Page 16 – The company must also consider and evaluate the effect of any sewerage liquids on the local STP. ▪ Section 7.2.9 – The media notification should also include CBC radio (English and French). ▪ The public consultation should also include those First Nations that have traditional territories in the Kirkland Lake area. This information should be available from ONAS or Indian and Northern Affairs Canada in Sudbury ▪ As this is in a designated bilingual area it may be advisable to have documents available in both French and English. 	<p>at residences in Chaput Hughes and on Queen Street, in Kirkland Lake.</p> <ul style="list-style-type: none"> ▪ Hatch will take ambient noise measurements to establish baseline conditions and Class designation of the BEI property. Hatch will make two site visits to conduct 2-day continuous monitoring noise surveys and take spot measurements, as required. Comprehensive frequency and sound level information for all proposed equipment, from manufacturers or suppliers, will also be examined. ▪ The screening procedure reference in the ToR has been removed. Relevant members of the Government Review Team, which includes the Ministry of Health and the Timiskaming Health Unit, will be asked to review the Human Health Risk Assessment. ▪ The screening procedure reference change has been made in the Terms of Reference. Relevant members of the Government Review Team, which includes the Ministry of Health and the Timiskaming Health Unit, will be asked to review the Human Health Risk Assessment. ▪ This issue is dealt with in background document 2, ‘Description of the Undertaking’ and will be further addressed in the EPA approval stage. ▪ Media notification will include CBC Radio Sudbury. ▪ Public consultation for the Environmental Assessment now includes the following First Nations organizations: Matachewan, Wahgoshig, Beaverhouse, Timiskaming, Temagami, and Mattagami. ▪ Key documents will be made available in English and in French. Translating the entire Environmental assessment set of documents would require extraordinary resources and is not required by the MOE.
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	<ul style="list-style-type: none">▪ Section 8.0 – The site will also have to be registered as a waste generator and obtain a Waste Generator Registration number from MOE.	<ul style="list-style-type: none">▪ This issue will be dealt through by EPA approvals.
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9 APPENDIX C: ATTENDANCE SHEETS, PRESENTATION FOR JUNE 27, 2000 MEETING WITH THE TEMISKAMING FEDERATION OF AGRICULTURE



Open House Information and Exchange Session

June-00

Temiskaming Federation of
June 27, 2000 Agri.

Name	Address	Time
Kevin Bunnell	RR 1 WLn	
Mal [unclear]	RR 1 Thornloe	
Corinne Dallaire	RR#1 New Lisheard POJLPO	
Steve [unclear]	RR# 1 Thornloe	
MAH DUKE	RR#1 THORNLÖE ON POJLPO	
Julie Peirce	Hwy 539, Field, On POHIMO	

10 APPENDIX D: ATTENDANCE SHEETS FOR JUNE 28, 2000 OPEN HOUSE IN KIRKLAND LAKE



Open House Information and Exchange Session

June-00

Kirkland Lake
June 28, 2000

Name	Address	Time
Peter McLean	1/0 Northern College K.L.	17:10
John Macdonald	4 Harding Ave	17:15
W. McGUIRE	KIRKLAND Lake	17:18
[Signature]	K.L.	17:19
[Signature]	54 [unclear] St.	
Dave Firtelle	MOE	18:30
Ken Gibson	MOE	
Aziane Hisey	MOE	
Jim Derry	MOE	
H. Perry AS	Englehart.	18:45
Tom Bessy	Druidwood	18:45
Jim Patrick	The Gazette	
SYLVIA MOORE	K.LAKE	
DOUG MOORE	" "	
Patricia Rowan	" "	
George Hamilton	" "	
IMRANE PARS	CHARTER	
David Dal Pai	K.L.	7:05
Richard Denton	KL	
Joan Funglight	K.L.	7:20
Joanlight	K.L.	7:20
Bob Beaven	RR 1 Tarzwell	7:35
Christopher Rutherford	84 Woods St. K.L.	7:40
Brenna Miloud	Box 282 Natu Bay P.B. Bntz	8
Karen Pilch	P.O. Box 45 Englehart P.O. 110	8 PM
George Duma	3 Industrial Dr. K.L.	6:05 PM.
[Signature]	439 Prospect #3	



Thank you for attending this Open House and Information Exchange Session. Please share with us any comments, questions and/or concerns you have.

Open House and Information Exchange Session June, 2000

Information Request and Feedback Form

Date: _____

Name	_____	
	Surname	First
Address	_____	
	Street or Rural Route	City
	_____	_____
	Postal Code	Home Phone Work Phone
	_____	_____
	Fax Number	Email Address
	_____	_____

Have you looked at our website www.bennettenv.com/kirkland.html ? YES NO

How did you find the information session? Not helpful 1 2 3 4 5 Very helpful

Please explain, _____

What concerns do you have about the proposed project?

Is the permitting process well explained?

Are the times where input is required from the public well explained?

11 APPENDIX E: ATTENDANCE SHEETS FOR JUNE 29, 2000 OPEN HOUSE IN NEW LISKEARD

Open House Information and Exchange Session
June-00 New Liskeard
June 29, 2000

Name	Address	Time
TERRY GRAVES	Box 541, NEW LISKEARD, ONT A0J1P0	5:40
Michelle McDonald	Box 1628 New Liskeard Ont	5:02
Keith Keall	New Liskeard	5:45, 2:3
TERRY OVERTON	NEW LISKEARD	5:50
STAN GORZALCZYNSKI	P.O. Box 1297 HAILEYBURY, ONT	6:05
Dina Pollock	Tomstowing Specker	

12 APPENDIX F: MEETING WITH THE TEMISKAMING MUNICIPAL ASSOCIATION

Correspondence Leading to Meeting with the TMA

Can be found on the next page (page 67).

Questions Asked at the TMA Meeting

Can be found following correspondence (page 71).

Presentation Given at the TMA Meeting

Can be found following questions asked (page 72).

June 19, 2000

Timiskaming Municipal Association
PO Box 730, Whitewood Avenue
New Liskeard, Ontario
P0J 1P0

Attn: Ken Boal, Secretary-Treasurer

Subject: Presentation Offer to TMA members by Bennett Environmental Inc.

Dear Sir,

Bennett Environmental Inc. (BEI) is pleased to announce that Kirkland Lake has been selected as a potential host site for a treatment facility for the clean up of soils and solids impacted with chlorinated and non-chlorinated organic compounds. The proposed facility will utilize a 5th generation proprietary technology developed by BEI. The facility offers owners of impacted sites a safe, permanent, complete, environmentally responsible and economical solution for the remediation of impacted soils.

On May 10, 2000, Bennett Environmental Inc. (BEI) voluntarily chose to have our proposed facility in Kirkland Lake, to be located at 233 Archer Drive, reviewed under Ontario's Environmental Assessment (EA) Act. Our company brochure has been included for your information.

BEI is committed to a transparent EA process. To this end, BEI has formed a Citizen's Advisory Committee to advise the Company on issues of concern to the residents of the region and function as an information exchange center. BEI has also opened an office in Kirkland Lake to facilitate information exchange.

BEI through its subsidiary, Récupère Sol Inc. (RSI) currently owns and operates a similar facility in St. Ambroise, Quebec. RSI has been safely treating soil contaminated with chlorinated organic compounds for three years and is proven to operate with both negligible environmental impacts and health risks.

SUITE 200-1130 WEST PENDER STREET, VANCOUVER, B.C., CANADA V6E 4A4 TEL: 604.681.8828 FAX: 604.681.6825
 SUITE 220-2560 MATHESON BLVD. EAST, MISSISSAUGA, ON, CANADA L4W 4Y9 TEL: 905.212.9119 FAX: 905.212.9118
email: info@bennettenv.com website: www.bennettenv.com

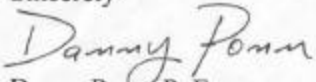
Page 2
Ken Boal
June 19, 2000

BEI will be travelling to the Kirkland Lake area the week of June 26-30th, 2000. It is our understanding that the TMA has a meeting the last Thursday of each month, the next falling on June 29th. BEI would like to make a presentation to the TMA to discuss our proposed facility in the Town of Kirkland Lake, the EA process and how stakeholders can participate.

For more information, visit our project information website at:
www.bennettenv.com/kirkland.html.

Please contact me if you have any questions at 1-800-386-1388 ext. 201. I look forward to hearing from you in regards to the proposed presentation.

Sincerely



Danny Pomm, P. Eng.
VP & C.O.O
Bennett Environmental Inc.

July 24, 2000

Timiskaming Municipal Association
Kenneth Boal, Secretary-Treasurer
PO Box 730
90 Whitewood Avenue
New Liskeard, Ontario
POJ 1P0

Re: Offer of Presentation for September TMA Meeting

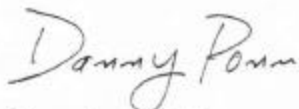
Dear Mr. Boal,

From an earlier phone conversation with you, I would like to confirm that the Timiskaming Municipal Association will be holding its next meeting on the last Thursday of September 2000.

Bennett Environmental would like to make a presentation before the TMA to discuss the proposed facility for Kirkland Lake and the Environmental Assessment process. If this meeting date is not satisfactory, could you please suggest a date that would be agreeable for the TMA?

I look forward to hearing from you in regards to the proposed presentation. Please contact me if you any questions at 1-800-386-1388 ext 201.

Yours truly,



Danny Ponn, P. Eng.
VP & Chief Operating Officer
Bennett Environmental Inc.

TEMISKAMING MUNICIPAL ASSOCIATION

TOWNS

Charlton
Cobalt
Englehart
Harleybury
Kirkland Lake
Latchford
New Liskeard

TOWNSHIPS

Armstrong
(Earlton)
Brethour
Cassidy
Chamberlain
Coleman
Duck
Dymond
Evanston
Harley
Harris
Holland
Hudson
James
(Elk Lake)
Kerns
Larder Lake
Malachewan
McGarry
(Virginiatown)
Temagami

VILLAGE

Thornloe

July 27, 2000

Bennett Environmental Inc.
Suite 220
2560 Matheson Blvd. East
Mississauga, Ontario
L4W 4Y9

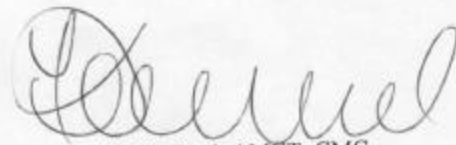
ATTENTION: Danny Ponn, P. Eng.

Dear Mr. Ponn:

RE: HIGH TEMPERATURE THERMAL DESTRUCTION FACILITY
IN KIRKLAND LAKE - ENVIRONMENTAL ASSESSMENT
DELEGATION AT THE TMA MEETING ON SEPTEMBER 28, 2000

This will confirm that you are on the TMA Agenda for the above date at 19:00 hours at the Arena Hall in Earlton.

Yours very truly,



Kenneth D.N. Boal, AMCT, CMC
Chief Administrative Officer

KDNB/bg

Building Temiskaming Since 1947

Temiskaming Municipal Association

September 28, 2000

7:30 pm

Earlton Arena

Presentation by BEI commenced at 7:35pm.

BEI took questions starting at 7:55pm until 8:15pm.

Questions are as follows:

1. Has Québec passed all Canadian regulations?
2. How is Québec compared to Alberta (Swan Hills)?
3. Has anybody said incinerators shouldn't be located near agriculture?
4. The process is to cleanse the soil of contaminants like PCBs. If by chance you don't achieve 1000C in the afterburner, what happens?
5. Where would treated soil go?
6. Where is the soil coming from?
7. Why wouldn't you move the facility to the Toronto area?
8. How do air emission levels relate to US regulations for air (dioxins and furans)?
9. Is locating the facility in Kirkland Lake an economical decision? Is land cheaper?
10. Is there possibly another reason for trucking material from Toronto?
11. How long has Québec plant been operating? Has there been any air emission problems?

13 APPENDIX G: ORIGINAL GOVERNMENT REVIEW TEAM LIST

Mr. Rob Dobos
Head, EA Section
Ontario Region
Environment Canada

Ms. Leea Litzgus
Manager, Environment & Natural Resources
Lands and Trusts Services
Department of Indian Affairs & Northern Development Canada

Mr. William Gerrard
Environmental/Cultural Heritage Co-ordinator
Ontario Realty Corporation

Mr. Ray Valaitis
Rural Planner
Central & Northern Ontario
Ministry of Agriculture, Food and Rural Affairs

Mr. Michael Johnson
Manager, Archaeology and Heritage Planning Unit
Ministry of Citizenship, Culture and Recreation

Mr. Winston Wong
Heritage Planner, Northern Region
Ministry of Citizenship, Culture and Recreation

Ms. Elaine Lynch
Manager, Northern Area Office
Ministry of Citizenship, Culture and Recreation

Dr. Colin D’Cunha
Direct, Public Health Branch
Ministry of Health

Dr. Pat Logan
Acting Medical Officer of Health
Timiskaming Health Unit

Ms. Heather Robertson
Senior Planner, Northern Region, Sudbury Office
Ministry of Municipal Affairs and Housing

Mr. David Delaunay
Director, Lands and Water Branch
Ministry of Natural Resources

Mr. Paul King-Fisher
Environmental Assessment Analyst
Conservation and Planning Section
Ministry of Natural Resources

Ms. Eleanor Moro
Ministry of Natural Resources

Mr. Robert Galloway
Regional Director, Northeast Region
Ministry of Natural Resources

Mr. John Malczak
Sr. Policy Advisor, Policy Branch
Ministry of Northern Development and Mines

Mr. Pat Allison
Fire Chief
Town of Kirkland Lake

Mr. George Elliot
Supervisor, Planning and Engineering
Town of Kirkland Lake

Mr. Doug Carr
Director, Negotiations
Ontario Native Affairs Secretariat

Mr. Ray Mantha
Manager, Engineering Office
Ministry of Transportation

Ms. Ariane Heisey
Special Project Officer
Environmental Assessment and Approvals Branch
Ministry of the Environment

14 APPENDIX H: PRESS RELEASE “BENNETT ENVIRONMENTAL INC. WELCOMES FULL ENVIRONMENTAL ASSESSMENT FOR PROPOSED THERMAL OXIDATION PLANT IN KIRKLAND LAKE”

FOR IMMEDIATE RELEASE

Kirkland Lake, May 12, 2000 – Bennett Environmental Inc. withdrew its request for non-designation under the Environmental Assessment Act for its proposal to build a thermal oxidation plant in Kirkland Lake.

“We decided that the best course of action was to subject this facility to the most rigorous process possible, in order to assure the citizens of Kirkland Lake/Timiskaming and of Ontario that this plant is safe and will be operated responsibly,” said John Bennett, President & C.E.O.

“We have great faith in our technology and our record of environmental stewardship” said Bennett. “We originally sought approval with a mandatory hearing under the Environment Protection Act, rather than the Environmental Assessment process, in order to expedite the process and get on with the job of helping clean up hazardous waste. We understand the concerns the Ministry of Environment and the citizens in Kirkland Lake/Timiskaming are expressing. We want to address these issues in a thorough process so everyone will be as confident as we are in this plant.”

“This is a safe and environmentally sound undertaking,” said Danny Ponn, Vice President of Engineering and Chief Operating Officer of Bennett Environmental. “At the end of the day, we have the same interests as the Minister of Environment and of every citizen in Ontario – we want a cleaner environment too.”

“We look forward to addressing the questions from the community and the Ministry of Environment as we work through the Assessment process. Our intent all along has been to be completely open and accessible at all times,” said Ponn.

“We applaud Bennett Environmental for taking this course of action. We fully support Bennett’s plans and believe they will build a world-class, environmentally sound facility. They will be an important player in the economy of Kirkland Lake/Timiskaming,” said Richard Denton, Mayor of Kirkland Lake. “This company has been very open and cooperative and now our citizens will have the additional assurance of an Environmental Assessment to address any questions or concerns before construction begins. There is nothing more important than the health and safety of our community, so I look forward to this Environmental Assessment process”.

Bennett Environmental Inc. (BEI) is a Canadian company with more than 30 years experience in the environmental industry. The company is the leading provider of high-temperature thermal remediation for contaminated soil in North America. BEI owns and operates, through its subsidiary Recupere Sol Inc. (RSI), the Mark IV Thermal Oxidizer at its waste management center in St. Ambroise, Quebec. BEI is a publicly traded company on the Toronto Stock Exchange under the symbol BEV.

Bennett Environmental’s state-of-the-art thermal treatment system comes complete with a sophisticated air pollution control system. The technology has a proven destruction removal efficiency (DRE) of **greater than 99.99999%**, surpassing the most stringent regulations in the

world. The process separates and eliminates organic contaminants from the soil, leaving it completely safe for reuse.

John Bennett, the company founder and its President & C.E.O. is a pioneer in the environmental industry. He is the founding president of the Canadian Environmental Industry Association and is called upon frequently to speak on environmental matters around the world.

On Saturday, May 13th, Mr. Bennett will be recognized by the environmental group “Outward Bound” for his years of service and support to that group, by having the Bennett Mountaineering Base Camp named in his honour.

For Further Information Contact:
Danny Ponn, Vice President – Engineering & C.O.O.
Tel. (905) 212-9119 ext. 201

Backgrounder:

Bennett Environmental Inc. Proposal for a Thermal Oxidation Plant in Kirkland Lake

The Proposal:

- In the fall of 1999, the Town of Kirkland Lake approached Bennett Environmental Inc. about its interest in building a thermal oxidation plant to destroy hazardous waste impacted soil & solids.
- The Town is proposing to build an Environmental Solutions Centre, and the Bennett facility will anchor the industrial park.
- Bennett accepted the invitation and began the approval process to build a plant capable of treating up to 200,000 tonnes of impacted soils & solids per year.
- Bennett confirms that liquid hazardous waste will not be handled at this facility – only impacted soils & solids.
- A portion of the waste stream will be PCB impacted soils & solids and the rest of the waste stream will be soils & solids impacted with wood preservatives, pesticides, polyaromatic hydrocarbons and other chlorinated and non-chlorinated hydrocarbons.

The Technology:

- John Bennett has been involved in the development of the Company’s Thermal Oxidizer since 1981.
- The BEI Thermal Oxidizer consists of a rotary kiln, a secondary combustion chamber and a high efficiency emission control equipment.
- The rotary kiln operates at 650°C to 800°C. In this chamber, all organic molecules are vaporized to combustible gases and some combustion takes place.
- The gas then enters the secondary combustion chamber where air and fuel are injected and complete oxidation occurs at greater than 1000°C.
- An air pollution control module cleans the gases exiting the thermal system and ensures the unit is in full compliance with air emission requirements. The emissions control equipment includes:
 - Gas Conditioning Quench Tower
 - Activated carbon & hydrated lime dry scrubber
 - High efficiency fabric filter
 - Continuous emissions monitor

- The emissions from a similar facility operating in Quebec is significantly less than allowable emissions as proven over four source tests.
- The U.S. EPA considers High Temperature Thermal Treatment to be the “Best Demonstrated Available Technology” for the treatment of persistent organic compounds (POPs) such as PCB’s, PCP and related compounds.”

Environmental Monitoring:

- The facility will be fully monitored to ensure ongoing operation is in full compliance.
 - Continuous process monitoring,
 - Continuous emission monitoring,
 - Ambient air monitoring,
 - Periodic monitoring report submitted to the Ministry and the Citizens’ Advisory Committee,
 - Annual source testing to demonstrate compliance with performance criteria.

Community Benefits:

- 30-35 direct jobs
- Spin-off jobs in:
 - Trucking
 - Laboratory analysis
 - Supply and services
 - Construction and maintenance
 - Hotel, restaurant and retail
- Corporate taxes
- Bennett Environmental Inc. will contribute \$10 for every tonne of material treated to a Community Development fund. Part of this fund would be administered by the Citizen’s Advisory Committee for worthwhile community enhancement projects. The balance of the fund will be used to incubate and establish new and diverse businesses in the area leading to the creation of new jobs.
- Bennett Environmental Inc. investing in Unisphere (a tire recycling company) to locate in Kirkland Lake is an example of industries that may be developed with the fund.

Full details of the proposal are available at:

The Bennett Information Center
1 Duncan Avenue
Kirkland Lake
(705) 567-1448

or
1-800-386-1388 ext. 209

or
Kirkland Lake Town Hall
or

Kirkland Lake Public Library

or

Visit our website at www.bennettenv.com/kirkland.html

15 APPENDIX I: NEWSPAPER ADVERTISEMENT NOTIFYING PUBLIC OF BEI'S ASSESSMENT UNDER THE ONTARIO ENVIRONMENTAL ASSESSMENT ACT



UPDATE

On May 10, 2000 Bennett Environmental voluntarily chose to have the proposed thermal treatment facility in Kirkland Lake assessed under the Ontario Environmental Assessment Act.

The first step in this process is the preparation of a Draft Terms of Reference (ToR) document. This will layout the framework for issues to be studied and methodologies for the Environmental Assessment.

The Draft ToR will be made available to the public for review and comment around June 6th at the following locations:

Teck Centennial Library
Bennett Information Office
Kirkland Lake Town Hall
Northern College Library
New Liskeard Public Library

Any comments provided to Bennett Environmental will be considered, and any necessary changes will be made to the draft ToR document. The final ToR will then be submitted to the Ministry of the Environment (MOE) for reviews & decision.

Upon approval of the ToR, a draft Environmental Assessment document will be submitted to the MOE and the general public at the above locations for review and comment.

Watch for an Open House in Kirkland Lake over the next couple of weeks - A great chance to discuss the Draft ToR with BEI!!

16 APPENDIX J: PRESS RELEASE ANNOUNCING DRAFT TERMS OF REFERENCE READY FOR COMMENTS

FOR IMMEDIATE RELEASE

Bennett Environmental Inc. Issues Draft Terms of Reference Document, Seeking Public and Agency Comments for Proposed Plant in Kirkland Lake

Kirkland Lake, June 21, 2000 – Bennett Environmental Inc. is making available for review its draft Terms of Reference (ToR) document on June 23, 2000. This document will be widely circulated to stakeholders and government review agencies. Bennett is seeking input and comments from stakeholders and agencies in order to finalize the ToR document for submission to the Ministry of Environment for approval.

BEI on May 10th volunteered to have the high temperature thermal destruction project proposed for Kirkland Lake reviewed under the Environmental Assessment (EA) Act. Preparing and circulating the ToR document for comments is the first step in the EA process. BEI will prepare the EA document and studies based on the approved framework of the ToR.

The ToR document will be available for public review at : the Teck Centennial Library in Kirkland Lake, Kirkland Lake Town Hall, Bennett Info Office in Kirkland Lake, Northern College Library in Kirkland Lake, and the New Liskeard Public Library. Comments are invited starting June 23, 2000 ending July 28, 2000. You may forward any comments on the Draft ToR to Bennett Environmental by fax at: 905-212-9118 by regular mail at: 220-2560 Matheson Boulevard East, Mississauga, Ontario, L4W 4Y9, or comment directly on the website. For your convenience, you can choose to comment directly on the website on a section by section basis.

“Bennett is committed to a transparent permitting process from the start of the project. The EA process formalises the consultative process that BEI has undertaken to do informally,” said Danny Ponn , Vice President of Engineering and Chief Operating Officer of Bennett Environmental. The Citizens’ Advisory Committee formed by BEI to help identify local issues of concern will now have a larger role to play in the EA process.

“We look forward to comments from the community and review agencies so that we may finalise our ToR document based on a wide consultative process,” said Ponn.

The proposed project is a scaled up version of Bennett’s state-of-the-art thermal treatment system currently operating in St. Ambroise, Quebec. The technology has a proven destruction removal efficiency (DRE) of **greater than 99.9999%**. The process destroys contaminants from the soil, leaving it completely safe for beneficial reuse or disposal.

Bennett Environmental Inc. (BEI) is a Canadian company with more than 30 years experience in the environmental industry. The company is the leading provider of high-temperature thermal remediation for contaminated soil in North America. BEI is a publicly traded company on the Toronto Stock Exchange under the symbol BEV.

For Further Information Contact:
Danny Ponn, Vice President – Engineering & C.O.O.

Full details of the proposal are available at:

The Bennett Information Center
1 Duncan Avenue
Kirkland Lake

(705) 567-1448
1-800-386-1388 x. 209

or

Kirkland Lake Town Hall

or

Kirkland Lake Public Library

17 APPENDIX K: ADVERTISEMENTS FOR JUNE 28/29, 2000 OPEN HOUSE

Newspaper Advertisement for Kirkland Lake Open House

Bennett Environmental Inc.
Open House and Information Exchange Session
June 28, 2000
Legion Hall

Bennett Environmental (BEI) cordially invites the residents of Kirkland Lake to an open house and information exchange session. The Open House will allow for discussion of the Ontario Environmental Assessment (EA) Act and all involved. A Ministry of the Environment official will be present to address any EA issues.

The session will be held June 28, 2000 at the Royal Canadian Legion Hall. BEI staff will be on hand to answer questions.

Open house hours 5:00pm - 7:00pm

Formal Presentation and 7:00pm - 10:00pm
and Question Period

For further information, please contact the Mississauga office by telephone at 1-800-386-1388 ext. 209, by telefax at 905-212-9118 or by email at kirkland@bennettenv.com. Check us out on the web: www.bennettenv.com/kirkland.html

You can also drop by our Information Office located at 1 Duncan Avenue, Kirkland Lake. Office hours are Tuesday and Thursday 10:00am to 2:00pm and Saturday 10:00am to 4:00pm.

We look forward to seeing you at the Bennett Environmental Public Open House.

The Draft Terms of Reference (ToR) is the first step in the EA process. The purpose of the Terms of Reference is to establish an approved framework that describes the required content of the EA we will be preparing for the facility. The ToR outlines the matters to be investigated and evaluated as well as the public consultation process to be followed by BEI in the preparation of the EA.

You may forward any comments on the Draft ToR to Bennett Environmental by fax at: 905-212-9118 by regular mail at: 220-2560 Matheson Boulevard East, Mississauga, Ontario, L4W 4Y9, or comment directly on the website. For your convenience, you can choose to comment directly on the website on a section by section basis.

Newspaper Advertisement for Open House in New Liskeard

Bennett Environmental Inc.
Open House and Information Exchange Session
June 29, 2000
Legion Hall

Bennett Environmental (BEI) cordially invites the residents of New Liskeard and area to an open house and information exchange session. The Open House will allow for discussion of the Ontario Environmental Assessment (EA) Act and all involved. A Ministry of the Environment official will be present to address any EA issues.

The session will be held June 29, 2000 at Francesco's Meeting Room. BEI staff will be on hand to answer questions.

Open house hours 5:00pm - 7:00pm

Formal Presentation and 7:00pm - 10:00pm
and Question Period

For further information, please contact the Mississauga office by telephone at 1-800-386-1388 ext. 209, by telefax at 905-212-9118 or by email at kirkland@bennettenv.com. Check us out on the web: www.bennettenv.com/kirkland.html

You can also drop by our Information Office located at 1 Duncan Avenue, Kirkland Lake. Office hours are Tuesday and Thursday 10:00am to 2:00pm and Saturday 10:00am to 4:00pm.

We look forward to seeing you at the Bennett Environmental Public Open House.

The Draft Terms of Reference (ToR) is the first step in the EA process. The purpose of the Terms of Reference is to establish an approved framework that describes the required content of the EA we will be preparing for the facility. The ToR outlines the matters to be investigated and evaluated as well as the public consultation process to be followed by BEI in the preparation of the EA.

You may forward any comments on the Draft ToR to Bennett Environmental by fax at: 905-212-9118 by regular mail at: 220-2560 Matheson Boulevard East, Mississauga, Ontario, L4W 4Y9, or comment directly on the website. For your convenience, you can choose to comment directly on the website on a section by section basis.

Radio Spot for Open House in Kirkland Lake

Bennett Environmental cordially invites you to attend a Public Open House on Wednesday June 28th. It will be held at the Royal Canadian Legion Hall complete with refreshments.

Drop by and learn about what the Environmental Assessment process requires from both the Company and the Public. A Ministry of the Environment official will be present to address any additional Environmental Assessment issues.

Bennett staff will be present at the Legion Hall for informal discussion between 5:00pm and 7:00pm. A formal presentation followed by questions and answers will follow at 7:00pm.

We look forward to seeing you there.

Radio Spot for Open House in New Liskeard

Bennett Environmental cordially invites you to attend a Public Open House on Thursday June 29th. It will be held at Francesco's Meeting Room outside of New Liskeard.

Drop by and learn about what the Environmental Assessment process requires from both the Company and the Public. A Ministry of the Environment official will be present to address any additional Environmental Assessment issues.

Bennett staff will be present at the Meeting Hall for informal discussion between 5:00pm and 7:00pm. A formal presentation followed by questions and answers will follow at 7:00pm.

We look forward to seeing you there.