

February 6, 2005

The Honourable Leona Dombrowsky
Minister of the Environment
135 St. Clair Avenue West - 12th Floor
Toronto, ONT
M4V 1P5

Dear Minister Dombrowsky,

I am writing to you as follow up to the letter sent to you by the Rennie Street Landfill Community Liaison Committee (CLC) on November 9th, 2004. I have attached a copy of that original letter. We have yet to receive any response from you to our concerns and specific requests for Ministry action outlined in our letter. The purpose of my letter to you is to reinforce the message from the CLC contained in that November letter and to request, again, that you consider and respond to the concerns we have raised.

Since that November letter was sent to you, some preliminary excavation work associated with the construction of a retaining wall has started at the Rennie landfill site. The major landfill excavation work is slated to begin in several weeks. In the meantime, we have become aware of additional issues that are cause for us to be concerned. These concerns relate to the contracting out of the excavation work and the final destination for PCB-contaminated soil that is being excavated from the landfill.

In early December of last year, Rennie CLC members were still in the dark about who would be undertaking excavation work at the landfill site. The City of Hamilton had awarded the larger contract for the excavation work and some other Red Hill Creek Expressway work to Dufferin Construction Ltd. Dufferin, in turn, indicated that it planned to sub-contract the excavation work to a contractor experienced with excavating hazardous landfill sites. The CLC was even told at one point that the contractor would likely be a firm called Cannington and it was simply a matter of Dufferin and Cannington finalizing an agreement to bring the subcontractor on board to do the excavation work. But the CLC was eventually informed that the Cannington deal fell through and, instead, Dufferin would be doing the work itself. CLC members were introduced to Dufferin's expert team, with the company offering assurances that they could handle the excavation work. In reviewing the experience of Dufferin and its team, Rennie CLC members are concerned that the team does not appear to have extensive experience with the excavation of hazardous landfill sites, particularly of the nature of the Rennie Landfill. But this shift from seeking out an experienced sub-contractor to deciding to take the excavation work on 'in-house' appears to have happened without anyone beyond the CLC asking questions. It has led us to wonder whether your Ministry has any role to play in ensuring that contractors taking on work of a nature as serious as this do indeed possess the appropriate level of experience and skills to complete the work carefully and successfully. Can you help us to understand the role of your Ministry, if any, in these situations? In the case of the Rennie Landfill, we have not seen any Ministry of Environment involvement in this aspect of the project and this concerns us greatly.

More recently, we have been made aware of a situation that raises concerns about the risks to neighbourhoods a significant distance away from the site. We understand that issues have emerged at Bennett Environmental's hazardous waste treatment facility in St. Ambroise, Quebec (see attached press release from the Quebec Ministry of the Environment and press release from Sierra Club of Canada). Our understanding is that the Quebec Ministry of the Environment has raised alarm bells over increasing levels of dioxins and furans in the soil around this site. The Ministry requested that Bennett take action to reduce the emissions of contaminants from the facility's stack. PCB-contaminated soil to be excavated from the Rennie Landfill site is destined for the facility in St. Ambroise. We are very concerned that this waste material may well contribute to the apparent soil contamination problems surrounding this facility. We are asking that your Ministry look into the issues at the St. Ambroise facility and help us to understand the current status of that situation. Has Bennett taken action to see problems with the emissions of contaminants resolved? Is the Quebec MOE satisfied that the situation at the St. Ambroise facility has been addressed? We certainly do not want to see problems from our community exported to another community.

Finally, we understand that your staff has put forward a recommendation to you regarding Lake Ontario Waterkeeper Mark Mattson's request under Section 11.4 of the Ontario Environmental Assessment Act, for a review of the original approval for the Red Hill Creek Expressway project in light of new information. It has been almost a year and a half since Mr. Mattson's original request to you and we urge you, now that your staff have provided you with a recommendation, to announce your decision on this request.

Once again, we urge you to consider our concerns and requests for action very carefully. We look forward to a response from you.

Yours truly,

Zen Matwiyiw
Chair of the Rennie Landfill Community Liaison Committee

Address:
602 Waterloo Street
Hamilton, ONT
L8H 6V5
TEL: (905) 545-6119 EMAIL: matwiyiw@skylinc.net

Copies to: Ms. Andrea Horwath, MPP for Hamilton East
Mr. Gord Miller, Environmental Commissioner of Ontario
Citizen Members of Rennie Street Landfill CLC:
- Mrs. Geraldine Copps
- Ms. Julie Brezden
- Mrs. Dorothy Greig