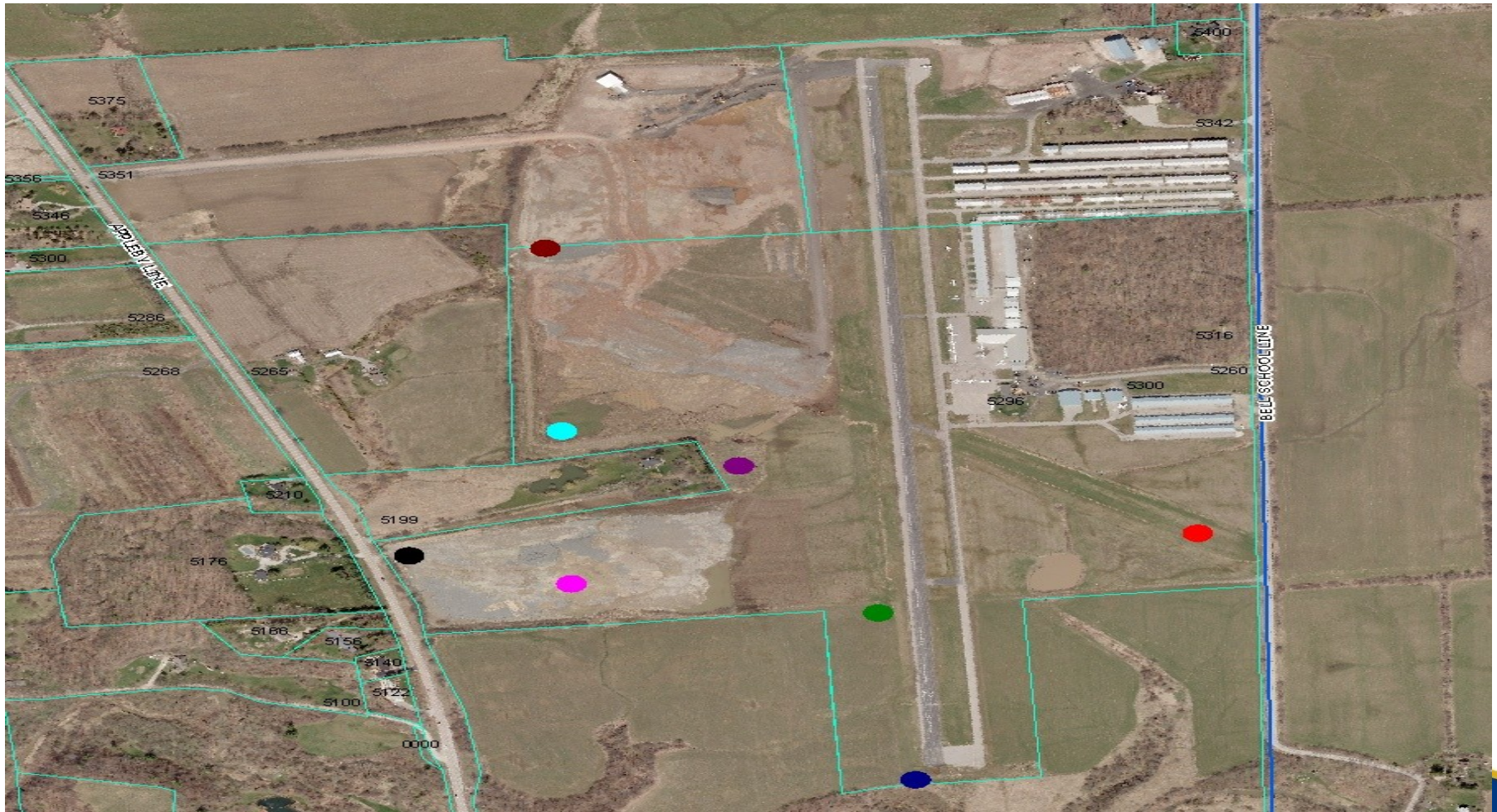


Burlington Executive Airpark

Update Number 3.

Burlington Executive Airpark



Burlington Executive Airpark

- Council July 2nd.
- Development and Infrastructure Committee
July 8th.
- Council July 15th.

Burlington Executive Airpark

- Terrapex Environmental Ltd Report.
- Timelines, The assignment, The 5 conclusions, and Expectations.

Burlington Executive Airpark

Timelines, The assignment, The 5 conclusions, and Expectations.

Based on our understanding of federal and provincial regulations and the documents provided by the City for review, Terrapex concludes the following:

- 1. The regulation applicable to receipt of fill material at the Airport site is Ontario Regulation 153/04 and based on this regulation only materials meeting the Table 1 Site Condition Standards listed in *Soil, Groundwater and Sediment Standards for Use Under part XV.1 of the Environmental Protection Act, MOE, April 15, 2011* are appropriate for use as fill at the site.
- 2. Based on the amount of fill received at the Airport site and the data reviewed, the sampling and analytical frequency is inadequate.
- 3. As contaminants of concern were not substantiated for the majority (51 of 52) shipping sites the adequacy of the sampling programs cannot be assured.

Burlington Executive Airpark

Timelines, The assignment, The 5 conclusions, and Expectations.

Based on our understanding of federal and provincial regulations and the documents provided by the City for review, Terrapex concludes the following:

- 4. Only 41% of samples represented in the body of data reviewed indicated concentrations of all analyzed parameters meeting the applicable Table 1 Site Condition Standards.

Although sampling frequency was inadequate, this data may suggest that only 41% of material received at the Airport site (approximately 200,000 of 500,000 cubic meters) actually meets the applicable standard.

- 5. The receipt of fill material exceeding the Table 1 standards, which is classified as waste in accordance with the EPA, O.Reg.347, and the MOE, is in contravention of EPA Section 40 prohibiting the deposit of waste on lands which are not an approved disposal site. The deposit of waste at the Airport site has essentially resulted in the establishment of an unlicensed waste disposal site, which may have ramifications for not only the receiver, but the various shippers and haulers of the waste.

Burlington Executive Airpark, Timelines, Assignments and Expectations.

The Airpark is not in compliance with the regulations made pursuant to the Environmental Protection Act, specifically O.Reg. 153/04 and O.Reg. 347. I have attached the report for your immediate review. From the information we have, you will note they are not in compliance with your regulations. We insist that you take immediate steps to order them into compliance including issuing an immediate 'stop work order' on existing filling activities. Further, out of an abundance of caution, for the protection of the health of the residents, we would expect the MOE to exercise its authority to order testing on the groundwater and wells in the vicinity of the park, and any other testing you deem appropriate to provide answers to other potential off-site impacts.

Can you confirm if you have a record of 'Site Conditions' in your registry for this location?

Burlington Executive Airpark

Timelines, Assignments and Expectations.

We will be presenting the results to our Council Monday evening here at City Hall at 6:30pm. Can I ask that your staff be in attendance to answer questions on your actions as this will also help with the communications to the residents who will want to hear how you intend to force the owner into compliance and manage the potential safety issues arising from what amounts to operating an unlicensed landfill site.

Burlington Executive Airpark

- Standing Water and west Nile virus.
- Southern Entrance.
- Web page.

Burlington Executive Airpark,

Next Steps.

The City of Burlington ask the appropriate regulators to participate in a meeting hosted by the City to provide the citizens of our City with more information on this project.