



**Greater Sudbury Source Protection Committee
38th Meeting
June 14, 2011**

Held: Tom Davies Square, Room C-11

Commenced at: 1:15 p.m.

Adjourned at: 4:00 p.m.

Present: Nels Conroy, Chair
Luc Bock
Richard Bois
Stephen Monet
Wendy Wisniewski
Tim Worton

Also Present: Neil Gervais, Ministry of the Environment Liaison
Richard Auld, Sudbury & District Health Unit Liaison
Mark Rondina, Sudbury & District Health Unit Liaison Alternate
Judy Sewell, Drinking Water Source Protection
Jessica Brunelle, Drinking Water Source Protection
Katherine Mackenzie, Drinking Water Source Protection
Paul Sajatovic, Nickel District Conservation Authority

Communications: Paul Baskcomb
Nick Benkovich
Greg Haddad
Burgess Hawkins
Heather Mandamin
Lilly Noble
Cheryl Recollet
Bob Rogers

1. Chair Conroy Opened the Meeting

Chair Conroy opened the meeting by thanking committee members for their patience while waiting for the Stewardship Program application review committee meeting to conclude.

Nels provided a brief stewardship program summary to the SPC. He said that the program is a huge success this year as interest has more than doubled compared to that of previous years. He was also surprised by the number of septic systems that were inspected and found to be faulty; however, he was relieved to learn they are being repaired thanks to the program. Health Unit staff will confirm whether repairs are necessary before program funds are approved.

Nels indicated to the committee that there is not quorum for this June meeting, instead the meeting will serve as an information session. He also asked SPC members to think about whether or not they will be available for summer meetings. Nels then introduced a member of the public who came out to learn more about the committee after having attended the open house. Nels asked the SPC members to introduce themselves.

2. No Declarations of Conflict were declared.

3. Adoption of Agenda

The agenda for the June 14, 2011, Greater Sudbury Source Protection Committee meeting could not be adopted as circulated as the SPC did not reach quorum.

4. Adoption of Minutes of Previous Meetings

The minutes for the May 10, 2011, Greater Sudbury Source Protection Committee meeting, as duplicated and circulated, could not be adopted as the SPC did not reach quorum.

5. Communications Update

Judy informed the SPC of Brianne's departure from the Source Protection Program and the Nickel District Conservation Authority, but noted that she was able to complete most of the communication tasks associated with the assessment report before leaving to start her new position with a local company. Judy went on to discuss the comments that were received during the public consultation period for the assessment report. Hand-outs of the original public comments and draft responses were provided to SPC members. Judy took a few minutes to go over some of the comments individually and asked the SPC to further review the comments and provide feedback to her regarding the responses.

The first letter discussed asked about the authority of the Source Protection Committee to affect real change. Tim indicated that we do need to make the public aware that we do have power, however, only within the scope of the *Clean Water Act*.

Neil indicated that there is literature available from the MOE that may also help to answer this question. Judy will follow up with Neil in regards to these brochures and will mail them out along with the response from the Source Protection Committee.

Upon reading a few of the comments, it was clear that many residents still have issues with motorized vehicles on Ramsey Lake. Neil ensured the SPC that this topic cannot be dealt with through the *Clean Water Act* and stated that the SPC could determine what other organization would be best suited to deal with these comments. Stephen offered to look into the possibility of having the municipality deal with these types of concerns or to look into what other municipalities are doing about these public concerns. Paul Sajatovic offered to speak with the solicitor from the former City of Sudbury to see what information is available from previous investigations into this subject.

Judy ensured all present that any SPC members who were missing will receive a copy of the comments and draft responses for review by e-mail and by courier. It was determined that Tuesday June 21, 2011 will be the deadline for comment from the SPC so that Judy can incorporate all SPC comments into her responses by June 24.

6. Planning Working Group Update/Discussion – Dense non-aqueous phase liquids, Organic solvents

Katherine provided the committee with an overview of the planning working group meeting that was held on May 25 to discuss dense non-aqueous phase liquids (DNAPLs) and Organic Solvents as significant and “would be” threats. She started by providing the committee with some important terms and definitions that would help during discussion. Katherine also informed the committee that a DNAPL threat had been removed from the Assessment Report before submission as it is found in a Wellhead Protection Area D. DNAPLs have been identified as an existing threat on 4 properties that contain vehicle servicing establishments in the Valley. DNAPLs are significant in Intake Protection Zone-1 and Wellhead Protection Areas A,B and C.

Katherine went on to speak about the current applicable legislation. Relevant Provincial legislation includes the Toxics Reduction Act, the Ontario Environmental Protection Act and Ontario Regulation 323/94 – Dry Cleaners, the Ontario Fire Code, and Ontario Occupational Health and Safety Act. Tim inquired about what type of training the Risk Management Official will require in order to deal with legislation. Katherine proceeded to describe what is currently in place municipally to deal with these threats. Nels also inquired about whether or not oil/grit separators would be monitored or inspected only on a complaint basis under the current municipal system.

Neil indicated that answers to these questions would be more obvious as the process continues.

For existing threats regarding DNAPLs, the working group discussed the possibility of a Risk Management Plan. For “would be” threats they discussed using of Section 57 Prohibition and Section 59 Restricted Land Uses (under Part IV of the *Clean Water Act*). This policy would prohibit future occurrences of the threat activity in the areas where the threat would be significant. Education and outreach was also discussed as an option in combination with other policies. The issue of what will be incorporated into a risk management plan was discussed. The committee feels that too much detail may hamper the Risk Management Official. Neil indicated that plans can be amended as necessary.

Katherine explained that there are currently no significant Organic Solvent threats identified, but that this activity would be significant in an a Well Head Protection Area A (above 25L) and in an Intake Protection Zone 1(above 250L).

For policy options addressing the storage of organic solvents where the threat would be significant if established, the working group suggested Section 57 Prohibition and Section 59 Restricted Land Uses (under Part IV of the *Clean Water Act*) to prohibit future activities, and education and outreach in combination with other policy options.

7. Planning Working Group Update/Discussion – handling and storage of fuel

Katherine presented the committee with the policy options for the handling and storage of fuel as a significant and “would be” threat. Currently, there are four significant threats identified; two gas stations, one located in the Valley, the other in Garson and a Scrap Metal Facility in the Valley, as well as the fuel tank at the Wanapitei intake that was recently identified as an existing significant threat. The storage of fuel “would be” a significant threat in Well Head Protection Areas A & B and in Intake Protection Zone1 with a score of 10 (at specific amounts for above and below grade storage).

Katherine explained that the policy working group recommended using a risk management plan, which would apply to the gas stations and scrap metal facility. For the Wanapitei drinking water intake, the threat could be managed via the existing municipal drinking water license. In areas where the threat would be significant if established, the policy options included Section 57 Prohibition and Section 59 Restricted Land Uses (under Part IV of the *Clean Water Act*) to prohibit future activities.

Wendy indicated that spills are a risk when large tanker trucks are filling smaller tanks at intakes and well sites and expressed concern about the transfer of fuel at these sites. Katherine indicated that the local threat, Transportation of Hazardous

Material on Transportation Corridors, might address this threat and stated that she would look into this. She also indicated that the storage of fuel as a threat at intake and well sites is determined by the size of the storage tank, which explains why not all intakes were considered to have this significant threat. Wendy also pointed out that current law states that any amount spilled under 100L does not need to be reported, however, a policy that would lower this volume around intakes should be established. Nels asked that Katherine follow-up on this suggestion after researching local municipal by-laws on fuel and fuel tanks.

Katherine informed the committee that the next Policy Planning Working Group meeting would take place on June 21 and will address storm water.

8. Correspondence/Program Updates

Judy updated the committee on various items including project status and all correspondence received since the current Assessment Report was released. One item of importance that was discussed with the committee was the detectable concentration of a DNAPL in the Garson Orell Well. A note was made in the Garson section of the Assessment Report that this information had been received, and that the committee will continue to work with the Ministry of the Environment and the City to determine whether it should be dealt with as an issue or as a condition.

Judy mentioned the policy working group meeting that was held for the Northern Conservation Authorities and indicated that a smaller more focused group will meet shortly to discuss relevant policy options. She also indicated that there was a meeting June 6, in Toronto for project managers and policy writers at all Conservation Authorities. This meeting provided information on topics such as monitoring, prescribed instruments, land use planning tools, and also provided opportunities for staff to discuss and brainstorm policy options and development.

Judy also indicated that a recent meeting with the Nickel District Conservation Authority, City of Greater Sudbury and Sudbury and District Health Unit officials has indicated that the health unit will continue to hold jurisdiction over all septic systems within the area. She also briefed the committee on a presentation that was given to the Vermilion Stewardship Group. Judy and Anoop provided a presentation to the group in response to their request for information on water quality in the river, and also on river depth and flow rates. The residents along the Vermilion River are very concerned about new dam development proposals along the river.

Nels expressed concern over the DNAPLs found in the Garson Orell Well. The committee will be updated with developing information as it becomes available to staff.

Richard Bois inquired about the frequency of committee meetings throughout the summer months and suggested that a meeting only be called at the discretion of the

chair and if it is known if quorum will be reached. Nels indicated that a brief survey will be sent out to committee members about their availability for the July and August meetings. If it seems as though quorum can be reached, meetings will proceed over the course of the summer and will occur on the second Tuesday of the month.

9. New Business

No new business was declared.

10. Adjournment

The motion for adjournment of the June 14, 2011, Greater Sudbury Source Protection Committee meeting could not be passed as the SPC did not reach quorum. Nels thanked SPC members for attending and called the meeting to a close.

11. List of Handouts Provided at Meeting

- Letter to Ian Smith for the submission of the Amended Proposed Assessment Report
- Package of all comments received during the consultation period for the AR and associated draft responses
- Handling and Storage of DNAPLs and Organic Solvents draft policy handout
- Handling and Storage of Fuel draft policy options handout

12. Flash Drive Updates

- None provided

Next meeting: TBD