

Barlow, John ENV:EX

From: Nicoll, Sara ENV:EX
Sent: Monday, June 13, 2016 4:06 PM
To: Correspondence Unit ENV:EX
Subject: FW: Composting Permits

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Greg

From: s.22
Sent: Monday, June 13, 2016 10:09 AM
To: Karn, David GCPE:EX
Subject: Re: Composting Permits

David,
No, we are residents of Abbotsford and live withing 500 meters of a composting facility.
s.22

From: "Karn, David GCPE:EX" <David.Karn@gov.bc.ca>
Date: Monday, June 13, 2016 at 10:06 AM
To: s.22
Subject: RE: Composting Permits

s.22 : are you with media?

From: s.22
Sent: Monday, June 13, 2016 10:05 AM
To: Karn, David GCPE:EX
Subject: Composting Permits

Dear Mr. Karn,
I read with interest the information in the Vancouver Sun about the Minstry of Environment's new Permit System to control odours from composting.
Please advise how this new permit system will apply to the composting occuring in Abbotsford.
Thank you.
Regards,
s.22

New rules to cut the stench from compost facilities

British Columbia's environment ministry has announced a permit system to better control composting facilities that process food waste and biosolids.

<http://vancouversun.com/news/local-news/new-rules-to-cut-the-stench-from-compost-facilities>

Jager, Brenda CSNR:EX

From: Hamelin, Trevor M ENV:EX
Sent: Friday, October 21, 2016 2:43 PM
To: 'John Paul'
Cc: ENV Environmental Complaints ENV:EX
Subject: 2016-6001 PE-105854 RE: 2016 10 18 composting in a flood plain at 5050 Gladwin Rd

Hi John,

Thank you for your email, this appears to be a possible compliance issue and as such I have forwarded your concerns via the Environmental Complaints email to the Ministry of Environment, Compliance Section for their consideration.

My current responsibilities are related to authorizing new and existing sewage facilities and I am no longer a contact for composting facilities.

Regards,

Trevor Hamelin, ASCT
A/Section Head, Municipal Liquid Waste
Authorizations – South
BC Ministry of Environment
(Office) 604-582-5275
(Fax) 604-584-9751

Please be aware that while your inquiries are important to us, due to a high workload volume a response can be expected in the next five business days. If you do not receive a response in the next five business days, please feel free to resend your message. Inquiries/applications are reviewed on a first in, first out basis. Thank you.

24hr Spill/Environmental Emergency Reporting: 1-800-663-3456
24hr RAPP-line (Report All Poachers and Polluters): 1-877-952-7277

From: John Paul [mailto:transform@telus.net]
Sent: Tuesday, October 18, 2016 8:49 AM
To: Hamelin, Trevor M ENV:EX
Cc: George Murray; Bailey, Reed ALC:EX
Subject: 2016 10 18 composting in a flood plain at 5050 Gladwin Rd

Hi Trevor,

If you are not able to deal with the question of floodproofing requirements for composting at 5050 Gladwin Rd, can you kindly refer to someone in the Ministry of Environment who can?

The ALC confirmed that Net Zero Waste is operating a commercial composting facility as part of ALC Resolution # 2552/2010, and has specifically stated that the facility must be compliant with the non-farm use proposal (which was prepared and submitted by Transform). The non-farm use proposal included: *“a 2 m high berm is proposed around the perimeter of the main composting area as a potential flood control measure”*

Net Zero Waste removed some of the berm and constructed the commercial compost facility 2 m below minimum flood plain elevation requirements, which is contrary to the non-farm use proposal which forms part

of ALC Resolution # 2552/2010. Given that neither Net Zero Waste, the landowner or the City of Abbotsford have provided an indemnity to myself and Transform, there is a potential liability risk under the Environmental Management Act, S.B.C. c. 53.

In addition, requirements in relation to floodplain areas under Section 524 of the Local Government Act (formerly Section 910) is based on the Environmental Management Act.

I have attached my two professional agrologist's reports, which are on file at the City of Abbotsford and the ALC. The ALC has confirmed that there are no other professional reports deeming "that the land may be used safely for the use intended" LGA Section 524. It appears that the Minister for the Environment is the only one able to make exceptions to these requirements.

The City of Abbotsford does not appear willing to address this concern regarding our liability. Who accepts responsibility for allowing the flood control to be removed?

Kindly direct me to the correct person within the Ministry of Environment who may be able to assist in resolving this issue.

Sincerely, John

John Paul, PhD PAg



3911 Mt Lehman Rd
Abbotsford, BC V2T 5W5
Phone: 604-302-4367
Email: transform@telus.net
www.transformcompostsystems.com

From: John Paul [<mailto:transform@telus.net>]
Sent: September-15-15 2:17 PM
To: 'Hamelin, Trevor M ENV:EX'
Subject: RE: composting flood plains at 5050 Gladwin Rd

Hi Trevor,

Thanks for your response. In my opinion, you are partially correct, and I can certainly understand that you do not wish to spend any more time on this.

That being said, the Ministry of Environment has some responsibility under the Environmental Management Act when local government ignores provincial regulation (which was admitted on public record). You are certainly welcome to forward this to someone in the Ministry of Environment who does have some authority over this, and who could provide a response.

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John Paul, PhD PAg



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From: Hamelin, Trevor M ENV:EX [<mailto:Trevor.Hamelin@gov.bc.ca>]
Sent: September-15-15 2:10 PM
To: 'John Paul'
Subject: RE: composting flood plains at 5050 Gladwin Rd

Hi John,

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The Local Government Act and local bylaws are the responsibility of the local government and are not the responsibility of the Ministry of Environment. Your concerns related to this site and situation should be discussed with the City of Abbotsford.

Regards,

Trevor Hamelin, AScT
Environmental Protection Officer
Authorizations - South
(Office) 604-582-5275
(Fax) 604-584-9751

From: John Paul [<mailto:transform@telus.net>]
Sent: Tuesday, September 15, 2015 12:58 PM
To: Hamelin, Trevor M ENV:EX
Subject: RE: composting flood plains at 5050 Gladwin Rd

Hi Trevor,

A nagging issue that needs to be clarified, as per your email below:

Yes, you are correct in that the Organic Matter Recycling Regulation does not specifically restrict building compost facilities on a floodplain, but the Environmental Management Act as it relates to Section 910 of the Local Government Act (LGA) certainly speaks to it.

I have attached the LGA Section 910, and highlighted the important requirements as they relate to Provincial Regulation.

Please comment. If I understand this correctly, LGA Section 910 requires the landowner to sign a covenant, indemnifying the province in case of a flood, if the facility did not meet full flood proofing elevation requirements. This means that the landowner takes full responsibility in case of a flood.

In my professional opinion, this would have been very helpful to include in your answer, as local bylaws are governed by provincial regulation.

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From: Hamelin, Trevor M ENV:EX [<mailto:Trevor.Hamelin@gov.bc.ca>]
Sent: June-18-12 8:24 AM
To: 'John Paul'
Cc: Sundher, Avtar S ENV:EX
Subject: RE: composting flood plains at 5050 Gladwin Rd

Hi John,

The Ministry has received the Section 25 notification from Net Zero for 5050 Gladwin Road and has acknowledged this notification (which is considered Registration) for a facility receiving substantially below 40,000 tonnes and no trigger for an EIS. But, by no means does this Registration acknowledge that the facility meets all the requirements of the Organic Matter Recycling Regulation (OMRR). Further, OMRR does not have a prescriptive requirement prohibiting composting facilities from being constructed within flood plains. The Compost Facility Requirements Guideline: How to Comply with Part 5 of the Organic Matter Recycling Regulation, March 2004, is only a Guidance document to help QPs and facility owners comply with OMRR.

In fact the Guidance document only states that the construction of composting facility in a flood plain is "...strongly not recommended." The document fails to provide guidance on how to build a facility within a flood plain as this is likely covered by local Bylaws and Building Codes, which is not under the Ministry of Environment's jurisdiction.

In response to the flood plain issue you've raised in your May 14, 2012 email (below), I've reviewed our file for this site and the information you provided within this email and determined that you took the initiative to incorporate flood protection works at 5050 Gladwin Road, the Ministry did not approve, authorize or require you to construct flood protection works. I can say that Net Zero is in the engineering design phase for the facility and sounds like flood design will be incorporated into the design, likely to satisfy Building Code requirements.

The issue of the flood plain was raised by ^{s.22}, on August 24, 2011, (as referenced at the very bottom of this email) as a result of another site under your control, Registered to compost biosolids and also located within a flood plain, was immersed in flood water and direct contact with the composting biosolids. Your operating plan did indicated, in one sentence, that a berm would be constructed to protect against flooding, but did not appear to be constructed. The Ministry also did not approve, authorize or require you to construct flood protection works, it was all on your own initiative ^{s.22} just wanted to make that there were not any other sites in similar existing flood conditions and was not specifically referencing 5050 Galdwin Road.

There are several composting facilities located within flood plains in this region and I believe none of these facilities have been required to install flood protection works, in this regard all registered composting operators/facilities are being treated equitably. As a result, it would be difficult for me to require the construction of flood protection works at one site when these or other sites were not required to. For some of these facilities they likely needed to abide by building Codes and local bylaws so there will likely be some flood protection requirements.

If a flood were to occur at any of these sites and creates similar conditions to the one I referenced above, I will utilize our Compliance and Enforcement Policy to address each situation equitably. The Ministry endeavours to treat all our clients in an equitable manner.

Regards,

Trevor Hamelin, ASCT

Environmental Protection Officer

Ministry of Environment | Environmental Protection Division

2nd Floor, 10470 152nd St. | Surrey | BC | V3R 0Y3

Tel: (604) 582-5275 | Fax: (604) 584-9751

Jager, Brenda CSNR:EX

From: John Paul <transform@telus.net>
Sent: Friday, October 21, 2016 2:46 PM
To: Hamelin, Trevor M ENV:EX
Cc: ENV Environmental Complaints ENV:EX
Subject: 2016-6001 PE-105854 RE: 2016 10 18 composting in a flood plain at 5050 Gladwin Rd

Thanks very much for your response Trevor. All the best in your new responsibilities!

Sincerely, John

John Paul, PhD PAg



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From: Hamelin, Trevor M ENV:EX [mailto:Trevor.Hamelin@gov.bc.ca]
Sent: October-21-16 2:43 PM
To: 'John Paul'
Cc: ENV Environmental Complaints ENV:EX
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To: Hamelin, Trevor M ENV:EX

Cc: George Murray; Bailey, Reed ALC:EX

Subject: 2016 10 18 composting in a flood plain at 5050 Gladwin Rd

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The issue of the flood plain was raised by Linda Vanderhoek, on August 24, 2011, (as referenced at the very bottom of this email) as a result of another site under your control, Registered to compost biosolids and also located within a flood plain, was immersed in flood water and direct contact with the composting biosolids. Your operating plan did indicated, in one sentence, that a berm would be constructed to protect against flooding, but did not appear to be constructed. The Ministry also did not approve, authorize or require you to construct flood protection works, it was all on your own initiative. Linda just wanted to make that there were not any other sites in similar existing flood conditions and was not specifically referencing 5050 Gladwin Road.

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Jager, Brenda CSNR:EX

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Sent: Friday, October 21, 2016 2:48 PM
To: ENV Environmental Complaints ENV:EX
Subject: 2016-6001 PE-105854 FW: 2016 10 18 composting in a flood plain at 5050 Gladwin Rd
Attachments: 5050 Gladwin Rd Agrologist's Report Oct 16.pdf; 5050 Gladwin Rd Agrologist's Report August 25 2016 with appendices.pdf

Information related to the previous complaint forwarded earlier.

Trevor Hamelin, AScT

A/Section Head, Municipal Liquid Waste
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Cc: George Murray; Bailey, Reed ALC:EX
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Tel: (604) 582-5275 | Fax: (604) 584-9751

Page 17 to/à Page 32

Withheld pursuant to/removed as

Copyright

John Paul

From: John Paul <john.paul@transformcompost.com>
Sent: June-24-10 3:59 PM
To: 'dloewen@abbotsford.ca'
Cc: s.22)
Subject: soil deposit permit 5050 Gladwin from 3911 Mt Lehman
Attachments: A10-0540-00-2-GRADING June 16.pdf; Abbotsford soil deposit permit 5050 Gladwin.pdf

Hi Dave,

Hope that you are well.

I am preparing a soil deposit permit for 5050 Gladwin Rd. Attached please find the application, with the map as well.

This is phase 1 of the compost facility on this property. We will be using the subsoil from 3911 Mt Lehman Rd, as the driveway base, and the topsoil for the berm around the site. The purpose of the berm is for flood protection. The berm will be fully vegetated.

Please note that a ALC permit is not required as per ALC Regulations: Notification Requirements for specified farm uses 4 (1) the removal of soil and placement of fill for the following farm uses are exempt from the requirement to file an application under section 20 of the Act if the requirements in subsections 2, 3 and 4 are met: (d) the construction, maintenance and operation of a composting facility for the production of Class A compost as defined in the Organic Matter Recycling Regulation BC Re. 18/2002 or compost from agricultural waste, if the area occupied by the facility is greater than 2% of the area of the parcel.

Please let us know what additional information you require.

Sincerely, John

John Paul, PhD President
Transform Compost Systems Ltd
3911 Mt. Lehman Rd.
Abbotsford, BC V4X 2N1
Ph 604-856-2722
Cell 604-302-4367
Fax 604-856-8444
Email john.paul@transformcompost.com
Website transformcompostsystems.com

SOIL REMOVAL AND DEPOSIT BYLAW

Bylaw No. 1228-2003

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SCHEDULE "A"

Application No. _____

APPLICATION FOR SOIL REMOVAL/DEPOSIT PERMIT

1. I/WE John and Diana Doppenberg (Jayendee Farms Ltd) of _____

5050 Gladwin Rd. Abbotsford s.22
(Address)

(Phone Number) _____

hereby apply for a permit to remove soil/deposit soil or other material from/upon the following lands:

Address: 5050 Gladwin Rd.

Legal Description: PID 002-346-508

South half of Lot 12, NW Quarter Section 4 Twp 17 NWD Plan 649A

2. The registered owner of the said lands (if not the applicant) is: Jayendee Farms Ltd

_____ s.22
of: 5050 Gladwin Rd., Abbotsford, BC
(Address)

(Phone Number) _____

and the consent of the owner (if applicable) authorizing this application is attached.

3. The title or tenancy under which the said lands are occupied by me/us (if not the owner) is:

4. The soil or other material would be removed/deposited for the following purpose: creating
driveway (up to 6000 m3, a berm around site (10,000 m3))

5. The type of soil or other material which would be removed/deposited is: topsoil from
3911 Mt. Lehman Rd. , subsoil and base material from same

SOIL REMOVAL AND DEPOSIT BYLAW

Bylaw No. 1228-2003

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SCHEDULE "A"

6. The ground area from/upon which the soil or other material would be removed/deposited is 6000 m²/ha.
7. The depth of the proposed excavation/height of the proposed landfill will be 2 m.
8. The total volume of soil or other material which would be removed/deposited is 16,000 m³.
9. The proposed date of commencement is: July 1, 2010.
10. The proposed date of completion is: October 30, 2010.
11. I/We require a type B Permit.
("A" or "B")
12. Upon approval of this application I/We hereby agree to fulfill the following conditions prior to the issuance of a permit:
- (a) Deposit with the City security in the amount of \$ _____;
- (b) Pay to the City the permit fee when required.
13. Submitted are the plans, data and specifications required by the Soil Removal and Deposit Bylaw No. 1228-2003.
14. I/We declare that the above information is correct and that I am/We are aware of the terms and conditions of Soil Removal and Deposit Bylaw No. 1228-2003, and will abide by the regulations and requirements imposed by the said bylaw and any permit issued to me/us in connection with the proposed soil removal/soil or other material deposit operation.

June 25, 2010Applicant's SignatureDate

SOIL REMOVAL AND DEPOSIT BYLAW

Bylaw No. 1228-2003

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SCHEDULE "B-2"

TYPE "B" - TEMPORARY

SOIL REMOVAL / DEPOSIT PERMIT NO. _____

Permission is granted to:

_____ of
(Name)

5050 Gladwin Rd., Abbotsford

(Address)

to remove / deposit soil or other material from / upon the lands described as:

5050 Gladwin Rd. Abbotsford

(Address of Property)

(Legal Description of Property)

in accordance with the provisions of Soil Removal and Deposit Bylaw No. 1228-2003, Application No. _____ submitted by the Applicant and the plans, specifications, and other supporting data filed, copies of which are attached to and form part of this permit, and the following additional terms and conditions:

Received Letter of Credit from _____

No. _____ in the amount of \$ _____ as security for the full and proper performance of the soil removal operation in compliance with Soil Removal and Deposit Bylaw No. 1228-2003 and all other terms and conditions of this permit.

This permit issued on the _____ day of _____, 20____.

This permit shall expire on the _____ day of _____, 20____.

This permit shall not be renewed, transferred or assigned.

Director of Engineering

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Withheld pursuant to/removed as

Copyright

Jager, Brenda CSNR:EX

From: COS Fraser South Zone ENV:EX
Sent: Monday, January 16, 2017 3:13 PM
To: ENV Environmental Complaints ENV:EX
Subject: 2017-6298 PE-105854 247241 ERS 16-5783

Please find report below.

Regards,

CO Hana Anderson
Conservation Officer Service (COS) /Fraser Valley Zone /Ministry of Environment
46360 Airport Road, Chilliwack, BC

-----Original Message-----

From: ecc.ops1@pep.gov.bc.ca [mailto:ecc.ops1@pep.gov.bc.ca]
Sent: Thursday, January 5, 2017 1:15 PM
To: COS Fraser South Zone ENV:EX
Subject: Notification of ERS 16-5783 - CHILLIWACK - ABBOTSFORD

Notification of ERS 16-5783 - CHILLIWACK - ABBOTSFORD

You can access the document at the following URL:

https://wildlife1.embc.gov.bc.ca/ECCLog_FY1617/COSIncident.nsf/ERSsByDate/28CC70043776CA378825809F007462D6?OpenDocument

Enforcement Routing Sheet #16-5783

Complaint Received By: PERRY (Operations 1 ECC) Date / Time received: 2017-01-05 13:11
Area: ABBOTSFORD - CHILLIWACK - SOUTH COAST REGION COORS OR#:

CALLER INFORMATION

Caller Name^{s.22}
Mail / Street Address:^{s.22}
City: ABBOTSFORD
Postal Code:
Referred By: ORR: NMACDONALD@ABBOTSFORD.CA

CONTACT NUMBERS

Residence:^{s.22}

VIOLATION DETAILS:

Violation Date: 2017-01-05
Violation Time:
Violation in Progress: Yes
Violation Type: DUMPING

Offense Witnessed: outdoor uncovered/uncontained storage of compost material Offense Location: s.22

Abbotsford Offense Details: City Bylaw Officer Gurv Brar attended a property located a s.22 and observed a commercial composting operation that included outdoor uncovered/uncontained storage of composted material. The large pile of composted material was stored in close proximity to a temporary watercourse/ditch that drained to a permanent watercourse located along the northern end of the property. The permanent watercourse drains to constructed roadside ditches along Bates Rd that are permanent and red-coded. The site visit was conducted on October 18, 2016. Gurv spoke with the property owner s.22 and determined that the facility was not registered under the provincial OMRR s.22 mentioned he was currently looking into registering under OMRR and was contracting Mateo Ocejo (Net Zero Waste) to assist with the OMRR registration. The City has not received any update on this property so we felt it prudent to report the property to MOE to ensure they are following OMRR. This property should have been reported back in October but due to staffing levels, we are just now dealing with the file. Please contact either myself or Gurv Brar for any additional information. Gurv can be reached at 604-626-2355 or email gbrar@abbotsford.ca.

Owner of the property is s.22 .

Gurv Brar, City of Abbotsford, 32315 South Fraser Way, Abbotsford, BC,
604-626-2355

DESCRIPTION

Name (If known):

Sex:

Race:

Height:

Weight:

Eyes:

Hair:

Glasses:

Smoker:

Build:

Complexion:

Distinguishing Features:

Clothing:

Vehicle:

Weapons:

Other Details:

①

Phone call: Dec. 20, 2016
@ noon - 1pm.

3050 Gladwin Rd, Abbotsford

(1) Potential Liability - ^{non-farm use} Zoning for ALC
Berm for Flood proofing

↳ changed the plan

↳ not submitted ALC

↳ new contractor has not
submitted to ALC.

Plans Refer issue

Local gov't Act → FLNRO - Water Protection
→ Env. Mgmt. Act. Branch

Wetland is only clear water to
be discharged from Compost
Facility

↳ leachate

↳ Fecal is high : e-coli

↳ ditch is impacted?

Other activities?

What is the source of the discharge?

① Horizon - Fully on their property

② Ag. fields from the east may
be impacted - Abbotsford data
2014

③ Composting?

②

Clean stormwater?
Impacted stormwater?

Structures - pipes

□ 6" pipe between Horizon/Compost
Partial berm
↳ 2m higher than
property

□ 6" pipe under berm to
take water
↳ draining from compost
NE corner

excess water that is not
collected by the leachate
mgmt system

- Uncovered compost piles ^{curbing or finished}
- Not on impermeable surfaces ^{base ground}
- Fecal report 2016 - Matteo.

③ Report in 2014 Concludes

Septic Discharge?

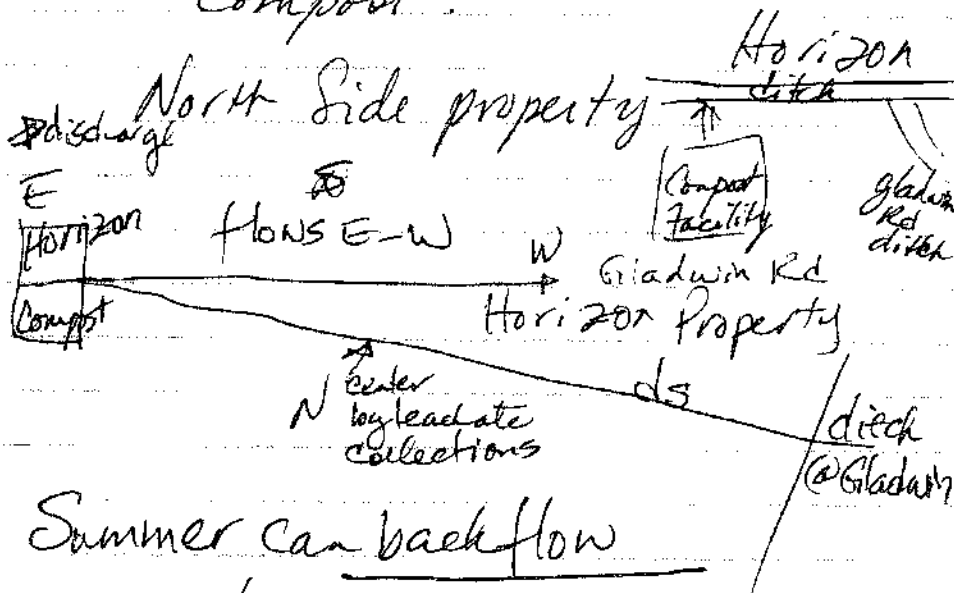
↳ Letter from City 2015



Math → Contractors
Confirmed

Horizon has a septic field
↳ Are we sure the field

What data is supporting
Compost?



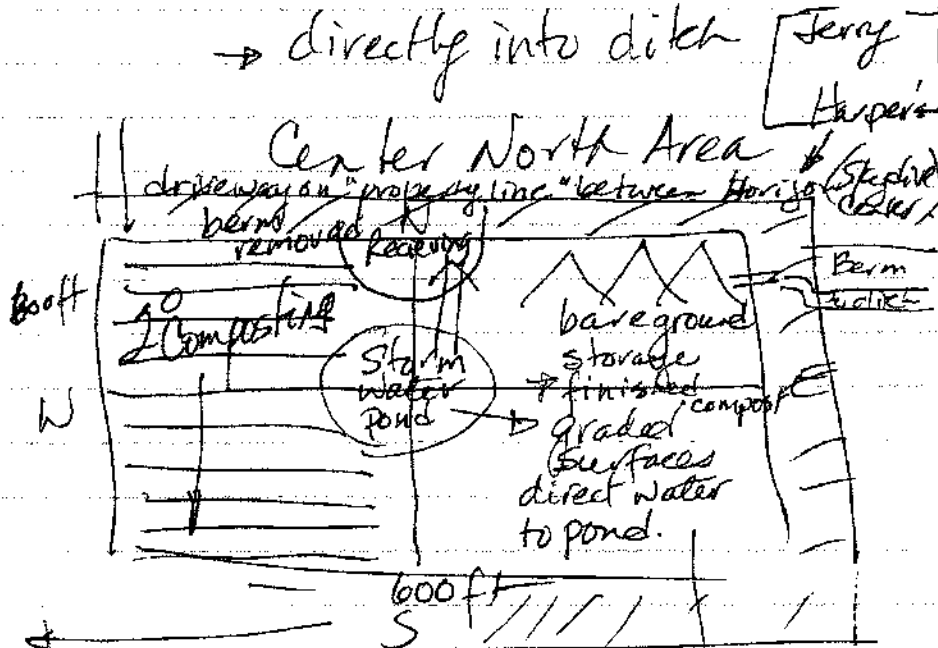
Summer can backflow

10 mo./yr E → W flow.

④

1st Issue: Storm water collection
pond -
→ drains under berm

→ directly into ditch



gladwin
pipe drains excess water

1st Composting - indoors
2nd - outdoor

impaired
water - not
clean water

2nd Harper's concerned 2013
Samples completed

3rd Install pipe on Horizon property
to Horizon permission.

#

⑤

John went to Professional body
perm removal
of concerns were dismissed.

John wants to ensure his
due diligence absolves him from
liability

Discharge drawings are not
correct

John completed re-zoning & permits
↳ ALC req. non-farm use for this
industrial facility

- Original design was for Ag Waste
- 2010 Permission ALC
- Dec 2010 Notification Transform-Withdrawn
- ~~2011~~ 2011 Net Zero Waste submitted Notification
- ↓
- Built facility

(6)

Built facility does not match
→ Facility plans?

1. Berm has partially removed
2. All Compost covered - OMRR
3. impervious surfaces - OMRR
4. 50m x 150m wetland area for storm water mgmt. & leachate

1. Section of berm @ center of area at entrance

Another section, SE, removed moved soil; may have caused some new drainage issues

2. Berm inspection 2014 - Levelton; Associate - Carl Miller.

Prof. Ag. 2016 - reports RE: BERK

1/ John Paul @ plans

3/ Transform @ status update

2. All active; materials cover - not specified OMRR req. due to rainfall.

3. Not fully paved.

Reply to John: Conclusions
(7):

4 OMRR Only - Dave
O'Malley
to inspect.

Report to M Health
on inspection
findings related
to OMRR/MOE
leachate mgmt issues
& areas

B Liability Berm ³⁴

@ Professional Body

Referred. - Resource Ops

(b) FNRD - Water Protection

"Berm doesn't really concern me
anymore because Call's ²⁰¹⁴ report"
we explained.

C Horizon is a civil liability
LP pipe on their site not MOE jurisdiction.

Notes from phone Conversation with John Paul of Transform Compost Systems on December 20th, 2016
about 5050 Gladwin Rd complaint

Story

John Paul was original contractor and site was originally going to be Ag waste, applied in 2010. He drew up a plan. Then they changed tracks and withdrew their application to be an ag waste site and applied to be a compost site. John made the plan they took to the Agricultural Land Commission to get non-farm exclusion. Then they switched to a new contractor but still used John's plan. BUT they did not follow some parts of this plan.

- 1) Original plan had berm around property, they partially removed the berm
- 2) Original plan had all compost covered. They only have stage 1 covered
- 3) Original plan had whole site ground as impervious surface, they only have some of it. One corner where a compost pile sits is on bare ground
- 4) Original plan had 50m x 150 m wetland area for storm water. John believes their storm water is contaminated with leachate

Originally John Paul concerned with

1. Berm Removal
2. His own liability in having made the plan
3. Pipe which drains to ditch is on neighbor's property
4. E coli and fecal coliforms in ditch water

We addressed all of these in the call

1. The berm was put in place because of the flood plain. In the local government act it mentions MOE as the governing body for this, but that is because FLNRO used to be part of MOE. In terms of water protection this is an FLNRO issue. John Paul stated "The berm doesn't really concern me anymore because of Carls 2014 report" referring to 2014 Levelton and associates report by Carl Miller.
2. John went to professional body and they dismissed his concerns, so he will contact FLNRO
3. Although this pipe is on the neighbour's property, they gave their permission when it was built, so they (Horizon) have a civil liability issue, not MOE jurisdiction
4. We will inspect against OMRR to see any signs on non-compliances leading to this.

More info from our conversation:

Property is next to Horizon Aero Sport^{s.22} . Between the two properties is a ditch which borders the north side of 5050 Gladwin Rd. This ditch is partly on Horizon's land. The ditch starts at the east end of the two properties and flows west along the property lines, then north at Gladwin Rd. There are agricultural fields to the east. John's samples results from 2014 show Fecal coliforms to be 1000/100mL at the eastern most point of the ditch and 40000/100mL at the west end.

The berms are 2m higher than the property. There is a 6" pipe between horizon and net zero under the berm. It drains into the ditch from the north east corner of the site where this is a pile of unknown stage compost on bare ground.

Bigger issue than the pipe is storm water according to John. Site is graded so storm water flows into pond which then drains into ditch. He feels this storm water is impacted.

Fecal coliforms were reported by net zero in 2016 but they attributed them to the septic. Health inspected the septic and it was fine.

Notes:

- Horizon does have a septic field.
- In the summer sometimes the ditch can back flow