



CANADIAN ENVIRONMENTAL LAW ASSOCIATION  
***MEDIA RELEASE***

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***FOR IMMEDIATE RELEASE***

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***MOHAWKS AND RESIDENTS BRING DUMP OBJECTIONS TO QUEEN'S PARK;  
DEMAND THAT ONTARIO REJECT FLAWED ENVIRONMENTAL ASSESSMENT***

**Toronto** - Today the Mohawks of the Bay of Quinte (MBQ), Township of Tyendinaga, and local residents attended at Queen's Park to present their strong objections to the proposed expansion of the Richmond Landfill near Napanee.

"The Mohawks of the Bay of Quinte are strongly opposed to expansion of the Richmond Landfill," said Chief R. Donald Maracle of the MBQ. "Expansion of the landfill will pose a high risk of contamination of the community's groundwater and surface water supply. We are concerned about the serious health impacts that the expanded landfill will cause in our community. Contamination of the water also poses a risk to fish and wild game on our reserve. Members of our community depend upon the fish and game as an important food source, but this can also serve as a route of human exposure to chemical contaminants."

The landfill expansion is being proposed by Waste Management of Canada, which hopes to obtain approval under Ontario's *Environmental Assessment Act* for a 25 year, 18 million tonne expansion of the existing site.

In particular, the proponent is seeking to dispose of up to 750,000 tonnes/year of waste from an all-Ontario service area (potentially including the GTA), and to accept an additional 250,000 tonnes/year of petroleum-contaminated soils for use as "cover" material. More alarmingly, the proponent also proposes an unprecedented decade-long excavation of the entire existing site, which contains approximately 3 million tonnes of waste buried at the site since the 1950s.

"From a legal perspective, it is unthinkable that the proposed expansion should be permitted to proceed," added Patrick Schindler, lawyer for the MBQ. "Not only would it be patently unreasonable for this project to get the go ahead from Ontario's Ministry of the Environment despite the manifold deficiencies noted by federal Environmental Assessment Agency reviewers, independent experts, and Napanee's Peer Review Team, but it would also be a serious breach of the long-established fiduciary obligation of the Minister of the Environment, as a Minister of the Crown, to protect the territory of the Mohawks of the Bay of Quinte."

"We regard this proposal as an environmentally unsound undertaking that should be rejected by the Ministry of the Environment without further delay," stated Margaret Walsh, Reeve of the Township of Tyendinaga. "In our opinion, the site is fundamentally unsuitable for landfilling, especially given the

presence of shallow soil, fractured bedrock, nearby watercourses, and numerous residences, farms, and other sensitive land uses that depend upon wells for drinking water, livestock and irrigation purposes.”

“In our opinion, the proponent’s EA is incomplete and inadequate, and Ministry officials must immediately issue a Deficiency Statement against the EA,” stated Richard Lindgren, a CELA lawyer who represents local residents. “If the Deficiency Statement is issued, but the proponent does not satisfactorily remedy the deficiencies within the prescribed timeframe, then the Minister can and should reject the EA application in its entirety.”

“This case also raises larger questions about continuing provincial inaction on waste diversion and environmental assessment reform,” continued Mr. Lindgren. “To date, Ontario has failed to finalize or implement provincial waste diversion goals or timetables, and has generally failed to act upon the recommendations contained in last year’s report on EA reform by the Minister’s own expert advisory panel. Therefore, we would urge the Ontario government to act upon these matters as soon as possible so that First Nations, municipalities and local residents do not have to waste their time or resources fighting ill-conceived mega-landfill proposals.”

Additional information about this controversial dump proposal is available in the attached media backgrounder.

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