

**COMMITTEE OF THE WHOLE (PUBLIC HEARING) – FEBRUARY 7, 2012**

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**COMMUNICATIONS**

**Distributed February 3, 2012**

**Item No.**

- |     |   |   |
|-----|---|---|
| C1. | Mr. Benjamin Blufarb, Barrister and Notary Public, dated January 27, 2012 | 2 |
| C2. | Mr. Benjamin Blufarb, Barrister and Notary Public, dated January 30, 2012 | 2 |

**Distributed February 6, 2012**

- |     |   |   |
|-----|---|---|
| C3. | Mr. Denis Goulet, BFI Canada Inc., dated February 3, 2012 | 2 |
|-----|---|---|

**Disclaimer Respecting External Communications**

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**Please note there may be further Communications.**

PUBLIC HEARING COMMUNICATION C-1  
Date: FEB 7/12 ITEM NO. 2

**LAW OFFICE OF BENJAMIN BLUFARB**  
**BARRISTER AND NOTARY PUBLIC**  
REGISTERED TRADEMARK AGENT

56 Sheppard Avenue West, Suite 200  
Toronto, ON M2N 1M2  
Telephone: (416) 221-0977  
Facsimile: (416) 221-6633  
Toll Free: (888) 243-8217  
bblufarb@bellnet.ca  
www.benjaminblufarblaw.com

January 27, 2012

**DELIVERED BY FACSIMILE**

**Ms. Erika Ivanic, Planner**  
Development Planning Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Dear Ms. Ivanic:

**Re: Mr. Zeppieri Proposed Re Development of 10 Freshway Drive**

My office has been retained by Mr. Zeppieri to contact you to voice his concerns and potential objections to the development that has been proposed by Browning Ferris Industries (BFI).

There currently exists Canadian National Railways Garbage Depot and BFI has already in the past number of years requested and obtained increase the size of their current disposal site.

Can you advise as to the nature of the studies undertaken to determine the environmental impact on the surrounding community predicated on this proposed expansion. Has there been an appropriate environmental study, has there been full compliance with the EPA.

Mr. Zeppieri Proposed Re Development Of 10 Freshway Drive.....

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One of the primary concerns is safety as you are well aware ACO Wood, the existing recycling facility, had a fire last year which caused significant pollution to the neighbourhood.


When the wind is in a southerly direction, which appears to be the predominant wind direction, there is significant dust, odours that permeate the air. The smells become unbearable. This will add to the existing bad odours being produced by the CN site. BFI's existing site produces significant debris and garbage that is not contained within their environment. Can you advise what additional steps to ensure protection of the neighbourhood and the existing environment would be undertaken.

What traffic impact studies have been conducted for both the increase in traffic, noise and pollution, would those be made available for public review? Has there been an air quality study and in the event of adverse effect of a release of the pollutants into the environment who will monitor, who will enforce, what steps will be taken to ensure that air quality is maintained?

One of the existing problems is of course **rodents**, there appears to be a major problem with rats, in the area from the existing site. If the site is to be expanded what steps will be taken to solve this problem? The existence of these rodents constitutes a significant health hazard to the surrounding neighbourhood. These are a few of issues that my client raises. Do you anticipate a full environmental public hearing on this proposed application before the City of Vaughan considers approval.

I look forward to your response.

~~Yours truly,~~

  
Benjamin Blufarb  
BB/mm

c.c. Mr. Zeppieri

**LAW OFFICE OF BENJAMIN BLUFARB**  
**BARRISTER AND NOTARY PUBLIC**  
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**FACSIMILE TRANSMITTAL SHEET**

TO: **Erika Ivanic, Planner** FROM: **Benjamin Blufarb**

City of Vaughan  
Development Planning Department

DATE:  
**January 27, 2012**

FAX NUMBER: **905-832-6080** TOTAL NO. OF PAGES INCLUDING COVER: **3**

TELEPHONE NUMBER: **905-832-8565**

RE: **Mr. Zeppieri Proposed Rc Development of 10 Freshway Drive**

**URGENT**

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

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FACSIMILE TRANSMITTAL SHEET

TO: Etika Ivanic, Planner FROM: Benjamin Blufarb

City of Vaughan  
Development Planning Department

DATE:

January 30, 2012

FAX NUMBER:  
905-832-6080

TOTAL NO. OF PAGES INCLUDING COVER:  
1

TELEPHONE NUMBER:  
905-832-8565

RE:

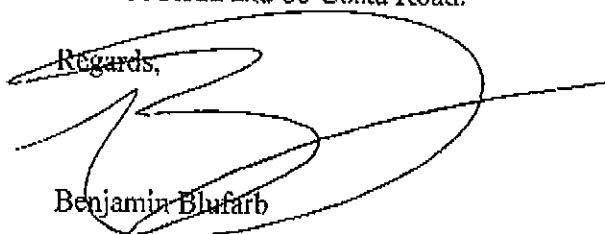
Mr. Zeppieri Proposed Re Development of 10 Freshway Drive

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

Dear Ms. Ivanic:

Further to our telephone discussions of today's date, the relevant addresses are 29-35 Killaloe Road and 80 Costa Road.

Regards,

  
Benjamin Blufarb

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Affiliated Internationally with Daliah Sklar & Associates, Tel-Aviv-Israel



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February 3, 2012

PUBLIC HEARING C 3  
COMMUNICATION  
Date: FEB 7/12 ITEM NO. 2

City of Vaughan  
Development Planning Department  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Attention: Erika Ivanic, Planner

Re: Mr. Zeppieri Proposed Redevelopment of 10 Freshway Drive

Dear Ms. Ivanic:

We are pleased to respond to the comments and questions received from the Law Office of Benjamin Blufarb, Barrister and Notary Public on January 27, 2012. The following responds to the issues and concerns raised through the letter.

#### BACKGROUND

BFIC Canada Inc. (BFIC) is proposing to amend operations of a waste transfer and processing facility located at 10 Freshway Drive in the City of Vaughan, Ontario. Modifications to the facility are primarily being conducted to accommodate new sorting and processing equipment to increase capture of recyclables materials, storage of recovered materials and an employee area and educational centre for interested citizens. The majority of material received will be processed on site to recover recyclable materials for shipment to end markets. This will be a state-of-the-art facility involving a capital investment in the order of \$12 million to optimize the diversion of recyclable materials from landfill.

The facility will receive, process, transfer and temporarily store (in primarily enclosed facilities) non-hazardous solid waste that is generated from industrial, commercial and institutional (IC&I) sources including construction and demolition (C&D) waste. The majority of waste received will be C&D waste.

The facility is located in a "General Employment Area" and the surrounding zoning consists of "General Employment Area" and "Employment Area Transportation Zones". The land uses surrounding the site includes the Rochester Aluminum recycling and smelting facility, K.J. Beamish Construction and Eco Wood products facility, Aluma Systems, Better Iron Works (steel fabricator and distributor), Canadian National railways tracks and Southview Asphalt and Aggregates (asphalt manufacturing plant). BFIC does not own or operate any of these facilities.

BFIC has owned and operated the facility at 10 Freshway Drive in compliance with environmental approvals and permits for the last five years. BFIC also operates waste

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transfer and processing facilities across Ontario and has a proven track record of operating these facilities in compliance with environmental approvals and permits.

### Comments and Responses to Letter of Concerns

The letter from the Law Office of Benjamin Blufarb raised concerns on behalf of their client, Mr. Zeppieri. His concerns relate to the impact the facility will have on nuisance effects (odour, noise, vermin, litter etc.) and vehicle traffic. Responses to his concerns are provided.

#### *General Facility Procedures*

BFIC has a number of procedures and policies in place for the safe operation of their waste facilities as described below.

#### Site Inspections

Daily site inspections are completed by a designated competent person who takes corrective action if any issues requiring rectification are identified. Copies of the daily inspection sheets are kept on file at the facility. The daily inspection includes the following points of review:

- Fire control systems;
- Emergency equipment and exits;
- Condition of operational equipment;
- First aid access and supplies;
- Labelling and storage of chemicals (minimal quantities stored);
- Unacceptable debris, litter and dust;
- Unacceptable odours; and
- Site fencing and gate.

#### Staff Training Plan

A training plan is established for employees. Trained personnel are on duty when the facility is open to ensure supervision of activities. Trained personnel supervise receiving and transfer of waste at the facility. Employees directly involved with activities relating to the facility are trained in the following:

- Relevant waste management legislation, regulations and guidelines;
- Environmental and occupational health and safety matters pertaining to the material to be handled;
- Use and operation of the on-site equipment;
- Procedures for the receipt of acceptable material and for refusal of unacceptable loads;
- Procedures for the control of nuisance conditions;
- Record keeping procedures; and
- Requirements of the Environmental Compliance Approval.

#### Fire Safety and Emergency Response Plan

Draft Fire Safety and Emergency Response Plans have been prepared and will be updated as required. The Plans are accessible to staff at all times. The Fire Safety Plan outlines levels of responsibility, procedures and list of contacts in case

of fire. The Emergency Response Plan deals with the prevention of, preparedness for, response to, and recovery from an emergency, including an emergency of an environmental nature.

#### Compliant Protocol

BFIC employs a formal complaint reporting procedure. When a complaint is received, a Complaint Report will be completed, which will include the following information:

- Date and time of complaint;
- Nature of complaint;
- Name and telephone number of complainant;
- Employee receiving complaint;
- Details and circumstances of complaint;
- Corrective action taken or planned; and
- Follow-up with complainant.

Signage at the gate includes a telephone number to allow a complainant to contact the company at any time.

#### *Nuisance Effects*

Nuisances include dust, odour, litter and pests. BFIC has procedures in place for staff and operations to mitigate potential occurrences of nuisance effects as detailed below.

#### Dust Control

Since material destined for further processing or disposal is received and sorted inside the building, dust emissions resulting from the operations will be minimized. Access routes are all paved, further minimizing the potential for dust generation. Should dust be identified as a nuisance condition, a road sweeper will clean the on-site paved areas.

#### Odour Prevention and Control

The following operating procedures are implemented to prevent odour generation:

- Waste material receiving, processing and loading occur inside the building and doors will be closed if necessary;
- The tipping floor is swept clean and absorbents are used when necessary to remove any liquid that may occur; and
- Waste residuals are removed from the facility normally within 24 hours of receipt, though storage of up to 72 hours may be necessary in the event of equipment failure, inclement weather, receiving site restrictions, and statutory holidays.

The facility is inspected on a daily basis to ensure that odours are not a problem. Staff authorized to conduct the site inspections are trained to assess odours at the property line. If odours are detected, some or all of the following steps will be implemented in order to mitigate the odour problem:



- The odour suppression system over the material storage and loading floor will be activated and/or dosage rate adjusted as needed.
- The odorous material will be removed from the facility as quickly as possible.
- If odorous material is repeatedly received from a particular generator, waste may no longer be accepted from that generator.

#### Litter Prevention and Control

Material is received, processed, and loaded inside the building, thereby minimizing the potential for creating litter. In addition, facility staff undertake daily site inspections and clean up litter resulting from site operations. The facility is fenced to prevent any litter from blowing off-site.

#### Pest Control

BFIC retains a pest control contractor to implement and oversee a pest control program at the site. The contractor has all the necessary regulatory approvals to provide pest management services in Ontario.

#### Noise Control

Waste is unloaded, stored, processed and loaded inside the building and doors are shut when necessary to control noise. BFIC has an established preventive maintenance program for all of its mobile equipment and trucks. In the event that equipment maintenance prevents its use in the operations, additional rental equipment may be brought in as needed.

#### *Vehicle Traffic*

All trucks bringing waste into the facility will drive around the north, east and south limits of the property and will be weighed on the weigh scale located south of the employee building. The incoming waste is then unloaded inside the waste receiving area and onto the tipping floor. Outgoing vehicles will be weighed on a second scale located west of the processing area and will obtain a record from the scale house attendant.

It is anticipated that BFIC truck traffic along Freshway Drive would increase slightly due to the increased shipping/receiving capacity. However, as the site is located near major highways (400 and 407), there is minimal truck traffic on local roads. Truck traffic movement from local roads primarily utilize signalized intersections at Creditstone Road/Hwy 7, Interchange Way/Jane, and Doughton Road/Jane Street. It is estimated that, on average, two trips per operating hour would be added to Freshway Drive as a result of the proposed modifications to the waste transfer/processing facility.

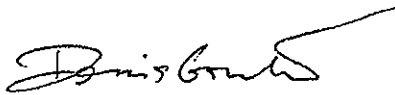
#### Conclusion

BFIC has been safely operating many waste transfer and processing facilities successfully in Ontario, Canada and the United States including this facility at 10 Freshway Drive for the past five years. Extensive procedures and policies are in place for the operation of their facilities which includes procedures to follow in the event of

an emergency. As described in this letter, there are measures in place to ensure the facility runs in compliance with environmental approvals and permits.

BFIC would be pleased to meet with interested parties to discuss any further questions or concerns. Please ensure that this response be provided to Committee Members at the same time as the January 27, 2012 letter from Mr. Benjamin Blufarb.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Denis Goulet", with a long, sweeping horizontal stroke extending to the right.

Denis Goulet  
BFI Canada Inc.

cc: Brian Forrestal, P.Eng., Director, Engineering & Compliance – BFI Canada Inc.  
Brian Kent, GTA Transfer and Processing Manager – BFI Canada Inc.  
Betsy Varghese, P.Eng. – Dillon Consulting Limited