

Director's Order

Environmental Protection Act, R.S.O. 1990, c. E 19 (EPA)
Ontario Water Resources Act, R.S.O. 1990, c. O. 40 (OWRA)
Pesticides Act, R.S.O. 1990, c. P11 (PA)
Safe Drinking Water Act, S.O. 2002, c.32 (SDWA)
Nutrient Management Act, 2002, S.O. 2002, c.4 (NMA)

Order Number
3506-A8QGC3

Incident Report No.
5663-A8PQA9

To: THE CORPORATION OF THE CITY OF MISSISSAUGA
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Site: Cayuga Site, Selkirk Site and Other Sites as defined below

Part 1: Definitions

For the purposes of this Order, the following terms shall have the meanings described below:

"**Additional Sites**" means the properties identified by the Forensic Audit as being the properties at which Waste Street Sweepings were deposited, but does not include the Cayuga Site, Selkirk Site, Other Sites, or properties at which the Waste Street Sweepings were deposited under and in accordance with an environmental compliance approval for the processing or disposal of waste.

"**Cayuga Site**" means the property located at 3085 River Road, Cayuga, Regional Municipality of Haldimand-Norfolk, identified by Mississauga as being a site at which Waste Street Sweepings were deposited as described in more detail in the Provincial Officer's Report.

"**EPA**" means the *Environmental Protection Act, R.S.O. 1990, c. E.19*, as amended.

"**Forensic Audit**" means the forensic audit to be carried out by Qualified Consultant(s) in accordance with Items No. 13 and 15 of this Order and described in more detail in Section 2.7.4 of this Order.

"**Ministry**" means the Ontario Ministry of the Environment and Climate Change.

"**Mississauga**" means The Corporation of the City of Mississauga.

"**Order**" means this Director's Order Number 3506-A8QGC3, as it may be amended.

"**Other Sites**" means the properties identified by Mississauga in its "Site Summary Table", dated April 11, 2016, given to the Ministry on April 12, 2016, providing updated information regarding identification of properties where Waste Street Sweepings from the City of Mississauga had been deposited between the years 2004 and 2011, a copy of the Table being attached to the Provincial Officer's Report.

"**Provincial Officer's Report**" means the Provincial Officer's Report prepared by Denise Plourde dated November 28, 2016, a copy of which is annexed hereto.

"**Public Health Officials**" means representatives from the boards of health established under the Health Protection and Promotion Act that cover the geographical areas of the Cayuga Site, the Selkirk Site, the Other Sites and the Additional Sites that received Waste Street Sweepings.

"**Qualified Consultant**" means a consultant who has experience, expertise and qualifications in respect to forensic investigations and who is acceptable to the undersigned Director.

"**Qualified Person**" means a person who has experience carrying out the work required by this Order and either a) holds a licence, limited licence or temporary licence under the Professional Engineers Act of Ontario or b) a certificate of registration under the Professional Geoscientists Act and is a practising member, temporary member or limited member of the Association of Professional Geoscientists of Ontario.

"**Selkirk Site**" means the property located at 813 Lakeshore Road, Selkirk, Regional Municipality of Haldimand-Norfolk, identified by Mississauga as being a site at which Waste Street Sweepings were deposited as described in more detail in the Provincial Officer's Report.

"**Waste Street Sweepings**" means the material swept from streets by or on behalf of Mississauga during the period 2004 to 2011 including in particular, street sweeping material located at the sites addressed by this Order.

Part 2: Legal Authority and Reasons

The following are the relevant provisions of the EPA regarding this Order:

2.1 Definitions under Part V, Waste Management

Section 25 of the EPA states:

25. In this Part,

"operator" means the person in occupation or having the charge, management or control of a waste management system or a waste disposal site;

"waste" includes ashes, garbage, refuse, domestic waste, industrial waste, or municipal refuse and such other materials as are designated in the regulations;

"waste disposal site" means,

- (a) any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and
- (b) any operation carried out on machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (a);

"waste management system" means any facilities or equipment used in, and any operations carried out for, the management of waste including the collection, handling, transportation, storage, processing or disposal of waste, and may include one or more waste disposal sites.

2.2 Approval, Waste Management System or Waste Disposal Site

Subsection 27(1) of the EPA, states: "No person shall use, operate, establish, alter, enlarge or extend a waste management system or a waste disposal site except under and in accordance with an environmental compliance approval."

2.3 Prohibitions Regarding Waste

Section 40 of the EPA states: "No person shall deposit, or cause, permit or arrange for the deposit of, waste upon, in, into or through any land or land covered by water or in any building that is not a waste disposal site for which an environmental compliance approval ... has been issued ... and except in accordance with the terms and conditions of the approval ...".

Section 41 of the EPA states: "No person shall use, or cause, permit or arrange for the use of, any facilities or equipment for the storage, handling, treatment, collection, transportation, processing or disposal of waste that is not part of a waste management system for which an environmental compliance approval ... has been issued and except in accordance with the terms and conditions of the approval ...".

2.4 Order for Removal of Waste

Section 43 of the EPA states:

Where waste has been deposited upon, in, into or through any land or land covered by water or in any building that has not been approved as a waste disposal site ..., the Director may issue an order to remove the waste and to restore the site to a condition satisfactory to the Director to,

- (a) an owner or previous owner or a person who otherwise has or had charge and control of the land or building or waste;

- (b) an occupant or previous occupant of the land or building; or
- (c) a person that the Director reasonably believes engaged in an activity prohibited by section 40 or 41 that resulted in the deposit of the waste.

2.5 Preventive Measures Order

Section 18 of the EPA states:

18. (1) The Director, in the circumstances mentioned in subsection (2), by a written order may require a person who owns or owned or who has or had management or control of an undertaking or property to do any one or more of the following:
1. To have available at all times, or during such periods of time as are specified in the order, the equipment, material and personnel specified in the order at the locations specified in the order.
 2. To obtain, construct and install or modify the devices, equipment and facilities specified in the order at the locations and in the manner specified in the order.
 3. To implement procedures specified in the order.
 4. To take all steps necessary so that procedures specified in the order will be implemented in the event that a contaminant is discharged into the natural environment from the undertaking or property.
 5. To monitor and record the presence or discharge of a contaminant specified in the order and to report thereon to the Director.
 6. To study and to report to the Director on,
 - i. the presence or discharge of a contaminant specified in the order,
 - ii. the effects of the presence or discharge of a contaminant specified in the order,
 - iii. measures to control the presence or discharge of a contaminant specified in the order,
 - iv. the natural environment into which a contaminant specified in the order may be discharged.
 7. To develop and implement plans to,
 - i. reduce the amount of a contaminant that is discharged into the natural environment,
 - ii. prevent or reduce the risk of a spill of a pollutant within the meaning of Part X, or
 - iii. prevent, decrease or eliminate any adverse effects that result or may result from a spill of a pollutant within the meaning of Part X or from any other discharge of a contaminant into the natural environment, including,
 - A. plans to notify the Ministry, other public authorities and members of the public who may be affected by a discharge, and
 - B. plans to ensure that appropriate equipment, material and personnel are available to respond to a discharge.
 8. To amend a plan developed under paragraph 7 or section 91.1 in the manner specified in the order.

18. (2) The Director may make an order under this section if the Director is of the opinion, on reasonable and probable grounds, that the requirements specified in the order are necessary or advisable so as,

- (a) to prevent or reduce the risk of a discharge of a contaminant into the natural environment from the undertaking or property; or
- (b) to prevent, decrease or eliminate an adverse effect that may result from,
 - (i) the discharge of a contaminant from the undertaking, or
 - (ii) the presence or discharge of a contaminant in, on or under the property.

2.6 Orders, Consequential Authority

Subsection 196(1) of the EPA provides that the authority to make an order under this Act includes the authority to require the person or body to whom the order is directed to take such intermediate action or such procedural steps or both as are related to the action required or prohibited by the order and as are specified in the order.

2.7 Background and Key Events Leading up to the Order

The following outlines the key background facts, issues and concerns regarding this matter which provided me with the reasons for this Order.

2.7.1 Provincial Officer`s Report

I have annexed the Provincial Officer's Report and hereby incorporate by reference all the information described therein. As the supervisor working with the Provincial Officer and as the current District Manager, I have personal knowledge regarding this matter.

I am of the opinion that the efforts taken to date and information provided to the Ministry by Mississauga are not sufficient to result in an appropriate understanding of the quantity, quality and ultimate fate of Waste Street Sweepings collected, processed and disposed and/or deposited by Mississauga.

I am of the opinion, based on the information provided to me and set out in the Provincial Officer`s Report, and my involvement in the file, that the requirements of this Order are necessary or advisable so as to achieve compliance with Part V of the EPA, Waste Management; to prevent, decrease or eliminate an adverse effect that may result from the presence or discharge of a contaminant in, on or under any properties where Waste Street Sweepings have been deposited; and to ensure that appropriate information is shared with the property owners and Public Health Officials.

2.7.2 Description of the Orderee and the Sites Involved

The Corporation of the City of Mississauga had ownership and/or charge and control of the Waste Street Sweepings that it provided to various sites and engaged in an activity prohibited by Sections 40 and/or 41 of the EPA that resulted in the deposit of the Waste Street Sweepings at the sites set out in this Order.

Mississauga permitted the deposit of the Waste Street Sweepings at the sites addressed by this Order by not conducting appropriate sampling of the Waste Street Sweepings and not taking adequate steps to prevent any improper deposit of the Waste Street Sweepings at unapproved sites.

The sites at which the Waste Street Sweepings have been deposited are described in more detail in the Provincial Officer`s Report and are also referred to in this Order as the Cayuga Site, Selkirk Site, Other Sites and Additional Sites.

2.7.3 Waste Street Sweepings Concerns

The Waste Street Sweepings are a waste under the EPA and, having been deposited at unapproved sites, may need to be removed. The concerns of the Ministry are described in more detail in the Provincial Officer`s Report.

2.7.4 Further Information – Forensic Audit

Mississauga has provided varied information to the Ministry as a result of its review of its records. The Ministry does not consider the information to be sufficient and believes that a further independent review and report is required of the actions taken by Mississauga in dealing with the Waste Street Sweepings and the location of the properties where Waste Street Sweepings may have been deposited between 2004 and 2011. This requirement is set out in the Work Ordered Items 13 through 16 relating to the Forensic Audit.

2.7.5 Plan for Intrusive Investigation at Other Sites

Work Ordered Items 17 through 19 set out the requirement for a plan for intrusive investigations at the Other Sites and at the Additional Sites, where a specific property address is known.

2.7.6 Access

Work Ordered Item 20 requires the provision of information to the Director if any access needed for doing the things required by this Order is prevented or otherwise unobtainable.

2.7.7 Next Steps

Upon completion of the work required by this Order, a Director will determine what further steps will be necessary to address the Waste Street Sweepings matter, including in particular, any access matters and the implementation of the intrusive investigations plans and the removal of Waste Street Sweepings.

Part 3: Work Ordered

Pursuant to the authority under Subsection 196(1), and Sections 18 and 43 of the EPA, I hereby order Mississauga to take all necessary steps to do, or cause to have done, the following:

Part 3a: Work Ordered Regarding Information Sharing

Item No. 1

By January 10, 2017, submit to the undersigned Director all sample results, data, reports and other information in Mississauga's possession relating to the Waste Street Sweepings deposited at the Cayuga Site, Selkirk Site and Other Sites, including correspondence provided by Mississauga to the property owners of the Cayuga Site, Selkirk Site and Other Sites.

Item No. 2

By January 10, 2017 provide the owner(s) of the Cayuga Site a copy of all information referred to in Item No. 1, above, that pertains to the Cayuga Site; and thereafter, as available, provide all information generated pursuant to the requirements of this Order to the owner(s) of the Cayuga site that pertains to the Cayuga Site.

Item No. 3

By January 10, 2017 provide the owner(s) of the Selkirk Site a copy of all information referred to in Item No. 1, above, that pertains to the Selkirk Site; and thereafter, as available, provide all information generated pursuant to the requirements of this Order to the owners of the Selkirk Site that pertains to the Selkirk Site.

Item No. 4

By January 10, 2017, provide the Public Health Officials with a copy of all information referred to in Item No. 1; and thereafter, as available, provide to the Public Health Officials all information generated pursuant to all of the requirements of this Order.

Item No. 5

By January 10, 2017, provide the owner(s) of the Other Sites, for which specific site addresses are known, a copy of all information referred to in Item No. 1, above, that pertains to their property; and thereafter, as available, provide all information generated pursuant to the requirements of this Order to the owners of the Other Sites, for which specific site addresses are known, that pertains to their property.

Part 3b: Work Ordered Regarding the Cayuga Site

Item No. 6

By December 20, 2016, retain the services of one or more Qualified Person(s) to prepare and complete all work specified in Item No. 8 of this Order.

Item No. 7

By December 20, 2016, submit to the undersigned Director written confirmation from the Qualified Person(s) that the Qualified Person has, (1) received a copy of this Order; (2) been retained to carry out the work specified in Item No. 8; and (3) the experience and qualifications to carry out the work.

Item No. 8

By May 2, 2017, remove the Waste Street Sweepings from the Cayuga Site according to the following procedures:

- (a) A detailed site plan outlining the location and volumes of Waste Street Sweepings must be prepared together with an assessment as to the impact, if any, of the presence of the Waste Street Sweepings on the quality of the drinking water and surface water at the site;
- (b) A Ministry approved waste hauler(s) must be retained to remove the Waste Street Sweepings from the site;
- (c) The Waste Street Sweepings must be taken to a Ministry approved waste disposal site(s);
- (d) A logbook must be maintained indicating the exact date and time when each truck removed Waste Street Sweepings from the site and must include all receipts and weigh bills associated with the removal of Waste Street Sweepings;
- (e) After the Waste Street Sweepings have been removed, the site must be restored to its original state; and
- (f) The Qualified Person must prepare a final report and include a statement that all Waste Street Sweepings were removed from the site and the site was restored to its original state. This statement must be supported with photographs and/or confirmatory sampling.

Item No. 9

By June 6, 2017, submit to the undersigned Director the report prepared by the Qualified Person(s) summarizing the removal of the Waste Street Sweepings from the Cayuga Site as required by Item No. 8 of this Order.

Part 3c: Work Ordered Regarding the Selkirk Site

Item No. 10

By December 20, 2016, retain the services of one or more Qualified Person(s) to prepare and complete all work specified in Item No. 12 of this Order.

Item No. 11

By December 20, 2016, submit to the undersigned Director written confirmation from the Qualified Person(s) that the Qualified Person has, (1) received a copy of this Order; (2) been retained to carry out the work specified in Item No. 12; and (3) the experience and qualifications to carry out the work.

Item No. 12

By January 31, 2017, submit to the undersigned Director a plan prepared by the Qualified Person(s) for further intrusive investigations at the Selkirk Property. The plan must include the installation of boreholes, test pits, monitoring wells and sampling of street sweepings, soil and groundwater at the Selkirk Site to further assess the property and identify any Waste Street Sweepings present.

Part 3d: Work Ordered Regarding the Other Sites and Additional Sites

Item No. 13

By December 20, 2016, retain the services of one or more Qualified Consultant(s) to conduct the Forensic Audit.

Item No. 14

By December 20, 2016, submit to the undersigned Director written confirmation from the Qualified Consultant(s) that the Qualified Consultant has, (1) received a copy of this Order; (2) been retained to carry out the work specified in Items No. 15 and 16; and (3) the experience and qualifications to carry out the work.

Item No. 15

By February 21, 2017, conduct the Forensic Audit and prepare a report thereon detailing the actions taken during, and the findings of, the Forensic Audit.

The report shall include, but not be limited to, details on the following:

- Description (e.g., electronic, hard copy, financials, time sheets, log books, petty cash, etc.) and date ranges of records from Mississauga that were reviewed.

- A description of records that were not reviewed but, if reviewed, could help identify all sites where Mississauga Waste Street Sweepings were deposited, along with an explanation as to why they were not reviewed.
- A description (e.g., electronic, hard copy, financial records, etc.) and date ranges of records from other individuals/companies that were reviewed.
- Name and position of all Mississauga staff interviewed and a description of the involvement they had in the management of Waste Street Sweepings.
- Name and position of former Mississauga staff contacted and interviewed regarding their involvement and a description of their involvement in the management of Mississauga Waste Street Sweepings.
- Identification of all external companies, contractors or individuals involved in the handling and delivery of Mississauga Waste Street Sweepings to sites not subject to an environmental compliance approval for the disposal or processing of waste, including a description of their involvement.
- Identification of individuals who were not interviewed but, if interviewed, could help identify sites where Mississauga Waste Street Sweepings were deposited, along with an explanation as to why they were not interviewed.
- Locations and descriptions of all Additional Sites that received Waste Street Sweepings from Mississauga, from 2004 to 2011, along with information on the quantity of Waste Street Sweepings deposited on each site.

Item No. 16

By February 21, 2017, submit to the undersigned Director and Public Health Officials the report required by Item No. 15 of this Order, prepared by the Qualified Consultant(s).

Item No. 17

By December 20, 2016, retain the services of one or more Qualified Person(s) to prepare and complete all work specified in Item No. 19 of this Order.

Item No. 18

By December 20, 2016, submit to the undersigned Director written confirmation from the Qualified Person(s) that the Qualified Person has, (1) received a copy of this Order; (2) been retained to carry out the work specified in Item No. 19; and has (3) the experience and qualifications to carry out the work.

Item No. 19

By March 21, 2017, submit to the undersigned Director a plan prepared by the Qualified Person(s) for intrusive investigations at the Other Sites and at the Additional Sites, where a specific property address is known. The plan must include the installation of boreholes, test pits,

monitoring wells and sampling of street sweepings, soil and groundwater at the Other Sites and at the Additional Sites, where a specific property address is known to assess the properties and identify any Waste Street Sweepings present.

Item No. 20

By no later than 3 days from being advised that any access needed for doing the things required by this Order, is prevented or otherwise unobtainable, submit to the undersigned Director, a notice stating why the access is required, the details and reasons why access has been prevented or is otherwise unobtainable, and details on the efforts made to obtain access.

Part 4: General

- 4.1 All orders are issued in the English language and may be translated into the French language. In the event that there should be a conflict between the English original and the French translation, the English original shall prevail.
- 4.2 The requirements of this Order are severable. If any requirement of this Order or the application of any requirement to any circumstance is held invalid, the application of such requirement to other circumstances and the remainder of the Order shall not be affected thereby.
- 4.3 Subsection 19(1) of the EPA provides that an order of the Director is binding upon the successor or assignee of the person to whom it is directed.
- 4.4 Subsection 186(2) of the EPA provides that non-compliance with the requirements of this order constitutes an offence.
- 4.5 Any request to change a requirement in this Order shall be made in writing to the Director, with reason for the request, at least 14 days prior to any compliance date for that requirement.
- 4.6 The requirements of this Order are minimum requirements only and do not relieve you from:
 - i. complying with any other applicable order, statute, regulation, municipal, provincial or federal law, or
 - ii. obtaining any approvals or consents not specified in this Order
- 4.7 Notwithstanding the issuance of this Order, further or other orders may be issued in accordance with legislation as circumstances require. In particular, the Director shall issue an order where the approval or acceptance of the Director is required in respect of a matter under this Order and,
 - i. the Director does not grant approval or acceptance; or
 - ii. the Director does not grant approval or acceptance because the changes which the Director considers necessary for granting approval or acceptance have not been agreed to by the persons to whom this Order is issued.

- 4.8 In the event that any party to this Order is, in the opinion of the Director, rendered unable to perform or comply with any obligations herein because of:
- i. natural phenomena of an exceptional, inevitable or irresistible nature, or insurrections; or
 - ii. strikes, lockouts or other labour disturbances; or
 - iii. inability to obtain materials or equipment for reasons beyond the control of the company; or
 - iv. any other cause whether similar to or different from the foregoing beyond the reasonable control of the parties,
- the obligations hereof, as they are affected by the above shall be adjusted in a manner defined by the Director. To obtain such an adjustment, the party must notify the Director immediately of any of the above occurrences, providing details that demonstrate that no practical alternatives are feasible in order to meet the compliance dates in question.
- 4.9 Failure to comply with a requirement of this Order by the date specified does not absolve the parties from compliance with the requirement. The obligation to complete the requirement shall continue each day thereafter.
- 4.10 This Order has no expiry date.

Part 5: Request for Hearing

You may require a hearing before the Environmental Review Tribunal (Tribunal), if, within fifteen (15) calendar days from the date of service of the Order, you serve written notice of your appeal on the Tribunal and the Director. Your notice must state:

- (a) the portion(s) of the Order in respect of which a hearing is required; and
- (b) the grounds on which you intend to rely at the hearing.

Except with leave of the Tribunal, you are not entitled to appeal a portion of the Order or to rely on a ground that is not stated in the notice requiring the hearing. Unless stayed by the Tribunal, the Order remains in effect from the date of service.

Written notice requiring a hearing can be served upon:

The Secretary
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto ON
M5G 1E5
Fax: (416) 326-5370
Email: ERTTribunalSecretary@ontario.ca

and

Tim Webb, Director
Ministry of the Environment and Climate
Change
4145 North Service Road, Suite 300
Burlington, ON
L7L 6A3
Fax: (905) 319-9902
Email: Tim.Webb@ontario.ca

Further information on the Tribunal and requirements for an appeal can be obtained directly from the Tribunal by:

Tel: (416) 212-6349 or 1-866-448-2248
TTY 1-800-855-1155 via Bell Relay

Fax: (416) 326-5370 or 1-877-849-2066
Web: <http://elto.gov.on.ca/ert/>

If you commence an appeal before the Tribunal, under Section 47 of the Environmental Bill of Rights, 1993 (EBR), you must give notice to the public in the environmental registry established under the EBR (EBR registry). The notice must include a brief description of this Order (sufficient to identify it) and a brief description of the grounds of appeal. The notice must be delivered to the Environmental Commissioner who will place it on the EBR registry. The notice must be delivered to the Environmental Commissioner at 605-1075 Bay Street, Toronto, Ontario M5S 2B1 by the earlier of:

- (a) 2 days of commencing the appeal before the Tribunal; and
- (b) 15 days after the service of this Order.

Pursuant to Subsection 47(7) of the EBR, the Tribunal may permit any person to participate in the appeal, as a party or otherwise, in order to provide fair and adequate representation of the private and public interests, including governmental interests, involved in the appeal.

For your information, under Section 38 of the EBR, any person resident in Ontario with an interest in this Order may seek leave to appeal the Order. Under Section 40 of the EBR, the application for leave to appeal must be made to the Tribunal by the earlier of:

- (a) 15 days after notice of this Order is given in the EBR registry; and
- (b) if you appeal, 15 days after your notice of appeal is placed in the EBR registry by the Environmental Commissioner.

To find out if any person has made application for leave to appeal this Order, you may wish to check the EBR registry a few days after the period mentioned above. The EBR registry is available at www.ebr.gov.on.ca.

FOR YOUR INFORMATION

The following is for your information:

Service of the documentation referred to above can be made personally, by mail, by fax, by commercial courier or by email in accordance with the legislation under which the Order is made and any corresponding Service Regulation . Further information can be obtained from e- Laws at www.e-laws.gov.on.ca. Please note that choosing service by mail does not extend any of the above mentioned timelines.

Unless stayed, this Order is effective from the date of service. Non-compliance with the requirements of this Order constitutes an offence.

The requirements of this Order are minimum requirements only and do not relieve you from complying with the following:

- (a) any applicable federal legislation,
- (b) any applicable provincial legislation or requirements that are not addressed in this Order, and
- (c) any applicable municipal law.

The requirements of this Order are severable. If any requirement of this Order or the application of any requirement to any circumstances is held invalid, the application of such requirement to other circumstances and the remainder of the Order are not affected.

Further orders may be issued in accordance with the legislation as circumstances require.

The procedures and other information provided above are intended as a guide. The legislation and/or regulations should be consulted for additional details and accurate reference.

Part 6: Attachment

The following attachment also forms part of this Order:

1. Provincial Officer`s Report (13 pages) dated November 28, 2016.

ISSUED in Burlington this 30th day of November, 2016,

"Originally signed by"

Tim Webb
Director
Ministry of the Environment and Climate Change

Provincial Officer's Report

Order Number
3506-A8QGC3

THE CORPORATION OF THE CITY OF MISSISSAUGA
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Site

Cayuga Site, Selkirk Site and Other Sites as defined below

Observations

1. Observations

Set out below is a description of the reasons for the proposed Order and the circumstances on which the reasons are based.

2. Definitions

For the purposes of this Provincial Officer's Report, the following terms shall have the meanings described below:

"**Cayuga Site**" means the property located at 3085 River Road, Cayuga, Regional Municipality of Haldimand-Norfolk, identified by Mississauga as being a site at which Waste Street Sweepings were deposited as described in more detail in this Provincial Officer's Report.

"**ECA**" means an environmental compliance approval (formerly known as a certificate of approval) issued under Part II.1 of the EPA.

"**EPA**" means the Environmental Protection Act, R.S.O. 1990, c. E.19, as amended.

"**Forensic Audit**" means the forensic audit to be carried out by Qualified Consultant(s) in accordance with the Order and described in more detail in Section 2.7.4 of the Order.

"**Ministry**" means the Ontario Ministry of the Environment and Climate Change.

"**Mississauga**" means The Corporation of the City of Mississauga.

"**Order**" means the proposed Director's Order Number 3506-A8QGC3.

"**Other Sites**" means the properties identified by Mississauga in its "Site Summary Table", dated April 11, 2016, given to the Ministry on April 12, 2016, providing updated information regarding identification of properties where Waste Street Sweepings from the City of Mississauga had been deposited between the years 2004 and 2011, but does not include the Cayuga Site or the Selkirk Site. A copy of the table is attached to this Provincial Officer's Report.

"**Provincial Officer's Report**" means this Provincial Officer's Report.

"**Public Health Officials**" means representatives from the boards of health established under the Health Protection and Promotion Act that cover the geographical areas of the Cayuga Site, the Selkirk Site and the Other Sites that received Waste Street Sweepings.

"**Qualified Consultant**" means a consultant who has expertise and qualifications in respect to forensic investigations and who is acceptable to the undersigned Director.

"**Qualified Person**" means a person who has experience carrying out the work required by the Order and holds either a) a licence, limited licence or temporary licence under the Professional Engineers Act of Ontario or b) a certificate of registration under the Professional Geoscientists Act, and is a practising member, temporary member or limited member of the Association of Professional Geoscientists of Ontario.

"**Selkirk Site**" means the property located at 813 Lakeshore Road, Selkirk, Regional Municipality of Haldimand-Norfolk, identified by Mississauga as being a site at which Waste Street Sweepings were deposited as described in more detail in this Provincial Officer's Report.

"**Waste Street Sweepings**" means the material swept from streets by or on behalf of Mississauga during the period 2004 to 2011 including in particular, street sweeping material located at the sites addressed by the Order.

3. Description of the Sites

The following describes the sites which received Waste Street Sweepings:

3.1 Cayuga Site

The Cayuga Site is approximately 625 square meters in size with a residential dwelling and three

barns. The property is located within a rural area, zoned for agricultural use.

3.2 Selkirk Site

The Selkirk Site is approximately 6000 square meters in size with a residential dwelling, an in-ground pool, greenhouse and a barn. The site is located within a rural/residential area, zoned for residential use.

3.3 Other Sites

Other Sites are the properties identified by Mississauga in its "Site Summary Table", dated April 11, 2016, given to the Ministry on April 12, 2016, providing updated information regarding identification of properties where Waste Street Sweepings from the City of Mississauga had been deposited between the years 2004 and 2011. As indicated in the attached copy of the table, not all of the properties are identified by a specific street address.

4. Waste Street Sweepings

Waste is broadly defined in the EPA as including "ashes, garbage, refuse, domestic waste, industrial waste, or municipal refuse and such other materials as are designated in the regulations".

It is the Ministry's position that the Waste Street Sweepings are waste, as defined in the EPA and described in the Ministry's General Waste Regulation, O. Reg. 347, typically as municipal waste. The regulation provides various exemptions that allow wastes to be reused, recycled, etc. under specific circumstances without the need for an ECA. There is no specific exemption regarding street sweepings.

The Ministry protocol titled "Management of Excess Materials in Road Construction and Maintenance", dated July 22, 1994, allows for the management of street sweepings (called roadsweeping material and defined as "sand/gravel/vehicle grit mixture resulting from winter maintenance operations, but does not include litter and abandoned material components") in three ways:

- (1) within road and highway rights-of-way for engineered applications,
 - (a) by sweeping directly onto the shoulder,
 - (b) by blending with virgin sand and reusing for winter sanding operations, or
 - (c) by stockpiling on municipally or provincially owned land for future use as described above;
- (2) reuse "in a construction material or any other reuse or recycling option, as endorsed by the MOEE" [Ministry of the Environment and Energy, now known as the Ministry]; and
- (3) disposal in an approved landfill as "solid non-hazardous industrial or commercial waste".

It is the Ministry's position that any use of street sweepings that requires processing for any use other than as described in the protocol requires a waste management ECA. Such an ECA would

include specific processing operations, sampling and testing protocols, and conditions to ensure deposits at appropriate locations.

Waste Street Sweepings are not excess soil. Excess soil is defined in the Ministry guidance document “Management of Excess Soil – A Guide for Best Management Practices” developed to outline the Ministry’s expectations for the beneficial management of excess soil in a manner that promotes sustainability and protects the natural environment.

In dealing with excess soil, a generally accepted practice is for a Qualified Person, knowledgeable about the assumptions used to develop the standards, to compare contaminant concentrations in the material to the most appropriate land use standards found in the “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act”. If Waste Street Sweepings can be characterized as soil-like material or earth or rock fill, or material of a similar nature and can be shown to meet these standards soil standards, the Waste Street Sweepings may accordingly be seen as being endorsed by the Ministry for reuse as described in the 1994 protocol. The information provided by Mississauga and its consultants to date is not sufficient to provide for such an endorsement.

5. Background and Summary of Events Leading Up to Order

5.1 Mississauga’s Historical Management of Street Sweepings

In 2012, staff at the Ministry learned that Mississauga had deposited Waste Street Sweepings as fill material on various properties located in southern Ontario.

Mississauga conducts street cleaning each spring, with road sweeper trucks, to collect materials that may have accumulated over the winter. Mississauga indicated that between 2004 and 2011, Waste Street Sweepings were eventually brought back to the Mississauga works yard on Mavis Road in Mississauga where they were deposited and accumulated.

Until 2004, Mississauga sent street sweepings to an approved landfill site. Mississauga has informed the Ministry that between 2004 and 2011, it processed Waste Street Sweepings by screening out debris, such as litter, and then deposited the material on properties including residential, commercial and agricultural properties upon the request of the owners of such properties.

In February 2012, Mississauga provided to the Ministry a report dated June 20, 2011, prepared by a consultant to assist Mississauga “in determining disposal options for the material collected as street sweepings”. The report, based on the chemical testing of two samples collected on June 6, 2011 of Waste Street Sweepings from Mississauga Mavis Work Yard, concluded that “Based on the chemical test results, in our opinion the subject material may be shipped to any registered landfill site licensed to receive this category of waste”. The report did not recommend sending the street sweepings to any other location or that the sampled street sweepings could be reused for any other purposes.

In April 2012, during a meeting between staff from the Ministry and Mississauga, Mississauga indicated it would dispose of its current street sweepings at an approved waste disposal site and investigate long-term options for the management of street sweepings.

Mississauga initially disclosed to the Ministry that fifteen properties had received Waste Street Sweepings between 2004 and 2011. As indicated in Section 5.2 below, in November 2015 Mississauga provided the Ministry with additional disclosure.

In a letter dated October 22, 2012, Ministry counsel restated the Ministry's position that Waste Street Sweepings are waste and should have been managed and disposed of accordingly. The letter also explained that Waste Street Sweepings may also be managed as set out in the 1994 protocol "Management of Excess Materials in Road Construction and Maintenance".

5.2 Testing at the Cayuga and Selkirk Sites

In October 2012, after discussions with the Ministry, Mississauga retained a consultant, Terrapex Environmental Ltd. (Terrapex) to carry out a site sensitivity analysis of the 15 properties that had been identified at that time to have received Waste Street Sweepings.

Based on the findings, in November 2012, Mississauga provided a letter to the Ministry proposing to assess the three most sensitive receiving sites out of the 15 properties: (1) the Cayuga Site, (2) the Selkirk Site, and (3) a site located in Acton. Details of the proposed intrusive site investigations were provided by Terrapex in a letter to Mississauga dated December 2012.

Between December 2012 and May 2015, the Ministry and Mississauga had numerous discussions regarding carrying out of the sensitivity analysis.

In April and May 2015, reports on the testing completed by Terrapex for the Cayuga Site and the Selkirk Site were submitted to the Ministry. Mississauga staff told the Ministry that it was unable to obtain permission from the owner of the Acton property to conduct the necessary environmental investigations.

In the report regarding the Cayuga Site, Terrapex indicated that based on site observations it was estimated that 937.5 tonnes of Waste Street Sweepings had been deposited. The amount is generally consistent with the information presented by Mississauga that approximately 1056 tonnes of Waste Street Sweepings had been deposited. Testing of the nine samples collected showed that there were contaminants of concern present on the property. Three samples contained arsenic, five samples contained lead and one sample contained antimony, all of which were at levels which could present an unacceptable risk to human health due to direct contact exposures. In addition, electrical conductivity was measured in three of the nine samples at levels that could present an unacceptable risk to plants and soil organisms. Ministry staff were advised about the Terrapex testing and attended the Cayuga Site during part of the Terrapex site work.

In the report regarding the Selkirk Site, there is a large discrepancy about the amount of Waste

Street Sweepings that were deposited at the Selkirk Site. It was estimated that approximately 67 tonnes of Waste Street Sweepings had been deposited. This is not consistent with the information initially presented by Mississauga that approximately 1600 tonnes of Waste Street Sweepings had been deposited. No explanation was provided for the discrepancy. Testing showed that in all four of the samples collected, electrical conductivity was measured at levels that could present an unacceptable risk to plants and soil organisms. One of the four samples collected contained lead at a concentration that could present an unacceptable risk to birds and mammals. The Ministry was not notified in advance of the sampling and was not present at the time of the sampling at this site.

In September 2015 the Ministry informed Mississauga that the Terrapex reports do not include what the Ministry considers an adequate assessment of the potential risk to human health and ecological receptors from the deposited Waste Street Sweepings.

At a meeting in November 2015, Mississauga informed the Ministry that it had retained a new consultant, Arcadis Canada Inc. (Arcadis) and that it had discovered that at least 40 sites had received the Waste Street Sweepings. Specific details and addresses were not available for approximately one-third of the sites. In December 2015, Mississauga provided the Ministry with two Arcadis reports regarding the Cayuga Site and Selkirk Site.

In February and March 2016, the Ministry advised Mississauga that the information presented in the two Arcadis reports did not address the Ministry's concerns.

In April 2016, Mississauga provided the Ministry with a further Arcadis report in response. This response did not change the Ministry's position which is described in more detail in Section 5.4 below and also in the May 16, 2016 Ministry memorandum. Mississauga also provided the attached site summary table in April 2016.

5.3 Mississauga's Record Keeping

The Ministry has requested information and records describing what Mississauga actually did at its Mavis Yard site, as well as all the analytical results showing the chemical quality of the Waste Street Sweepings that had been deposited. Mississauga has not provided information that the Ministry can rely upon to determine that the material is suitable for reuse as fill.

The information provided by Mississauga's consultants does not include information regarding:

- (1) whether a Qualified Person was involved in the process and/or supervised any of the activities;
- (2) any details about the sampling plan and sampling methodologies that were followed in the testing of the Waste Street Sweepings;
- (3) the quantities (tonnage) of street sweepings that had been collected for each of the years in question;
- (4) the reason for the variation in the testing frequency; and
- (5) any documentation from a Qualified Person and/or from Mississauga attesting to the suitability of the street sweepings for use as fill at any specific property.

5.4 Testing at the Mississauga Mavis Yard

In November 2015, Mississauga provided the Ministry with a binder containing the laboratory analytical results for bulk analyses associated with 28 individual samples that were claimed to be representative of street sweepings that were tested at the Mavis Road yard for the years 2004 through 2011. The number of street sweeping samples collected by Mississauga was not consistent year to year and equates to less than four samples analysed per year. This is considered very limited sampling of material that is heterogeneous by nature (e.g., sweepings from roads in industrial areas are likely to have different contaminant concentrations than sweepings from roads in a residential area). It is unlikely that the extent of sampling reported would properly characterize the piles of street sweepings in the Mavis Yard.

Of the 28 samples only eight samples were identified within the laboratory certificates of analyses specifically as being street sweepings. Five of the sample identifications describe the material tested as either soil, sand or sand mixed with gravel. The remaining samples were given a generic sample ID such as "Sample #1" or "Sample #2". No other information was provided in relation to the sample results. Based on the limited information provided, the Ministry is not able to confirm that all the material tested was street sweepings.

The Arcadis reports mentions conversations with Mississauga staff where it was indicated that the street sweepings were all screened of debris, using a trommel, at the Mavis Road works yard and mixed into a homogeneous pile prior to sampling and testing. It is assumed that the trommel refers to a trommel screen or rotary screen where material from street sweepers is dumped, presumably by a loader, into a hopper and material moved through the rotating screen. Material that is small enough to pass through the screen will presumably be what is referred to as street sweepings, while debris that is too big to fit through the screen is disposed of elsewhere. It is true that the material dumped into the hopper will be mixed to some extent as it moves through the trommel, but this does not mean that the resulting pile of screened sweepings will be homogeneous. If the street sweepings are primarily a mixture of coarser material, such as sand and gravel material, with some silt and clay material, the finer textured material will tend to move down through the coarser textured material toward the bottom of the pile. Typically, finer textured materials contain higher contaminant concentrations.

No documents or records have been provided to confirm the statements or to explain how Mississauga managed the Waste Street Sweepings at its Mavis Road works yard. For example, it is not known whether all the material for a given year was collected and stored in a stockpile at the yard prior to screening, sampling and disposal or whether the street sweepings were continually transferred in and out of the yard.

It is not clear how samples for analysis were collected from the Mavis Yard street sweeping piles, but often "grab" samples are taken from the surface of piles, since this is the easiest way to collect a sample. If this were the case, the samples would tend to contain more of the coarser textured/less contaminated material and not the finer/more contaminated material. This would mean the samples may underestimate the extent of contamination in the pile. The material trucked to the Cayuga Site, Selkirk Site and the Other Sites as fill material may have come from anywhere in the pile and if the material was toward the bottom of the pile it is likely to contain

more finer textured material and tend to have higher contaminant concentrations.

In April 2016, Mississauga provided the Ministry with statistical analyses of the “available Mavis Yard street sweepings chemical concentrations for all years available (2004 to 2012)” prepared by Arcadis. According to Arcadis, the statistical analyses show that overall the material has relatively consistent chemical concentrations for the chemicals that show exceedances of Table 2 (coarse) standards of O. Reg. 153/04 (as amended) and that the data is useful for purposes of risk evaluation.

For the reasons outlined above the Ministry is not able to verify that all of the chemical analytical data that was used in the statistical analyses performed by Arcadis was in fact representative of the Waste Street Sweepings and may be used in any risk evaluation.

6. Further Waste Street Sweepings Assessment Work

Based on the forgoing, I reasonably believe that there are grounds to issue the proposed Order (a copy of which I have reviewed) and it is necessary and advisable to confirm the Ministry’s expectations and requirements concerning the need to:

- a) obtain and share information regarding the Cayuga Site, the Selkirk Site and the Other Sites;
- b) remove the Waste Street Sweepings from the Cayuga Site;
- c) conduct further intrusive investigations at the Selkirk Site;
- d) obtain further information about the location of all properties where Waste Street Sweepings may have been deposited; and
- e) submit a plan to assess such properties and ensure that any Waste Street Sweepings present are identified .

I am of the opinion that the requirements of the proposed Order are necessary or advisable to better understand the Waste Street Sweepings matter including compliance with the EPA Part V Waste Management and to prevent, decrease or eliminate an adverse effect that may result from the presence or discharge of a contaminant in, on or under the properties where the Waste Street Sweepings have been delivered.

The following describes the procedures that should be followed where is necessary to remove Waste Street Sweepings from any site pursuant to the Order:

- 1) A Qualified Person needs to be retained to plan and supervise the removal of the Waste Street Sweepings;
- 2) A detailed site plan outlining the location and volumes of Waste Street Sweepings must be prepared together with an assessment as to the impact, if any, of the presence of the Waste Street Sweepings on the quality of the drinking water and surface water at the site;
- 3) A Ministry approved waste hauler(s) must be retained to remove the Waste Street Sweepings from the site;
- 4) The Waste Street Sweepings must be taken to a Ministry approved waste disposal site(s);
- 5) A logbook must be maintained indicating the exact date and time when each truck

- removed;
- 6) Waste Street Sweepings from the site and must include all receipts and weigh bills associated with the removal of Waste Street Sweepings;
 - 7) After the Waste Street Sweepings have been removed, the site must be restored to its original state; and
 - 8) The Qualified Person must prepare a final report and include a statement that all Waste Street Sweepings were removed from the site and the site was restored to its original state. This statement must be supported with photographs and/or confirmatory sampling.

7. Public Health Matters

Since December 2015, the Ministry has discussed the Waste Street Sweeping issues with Public Health Officials regarding their mandate under the Health Protection and Promotion Act, regarding any health related concerns.

All the information received under the Order is required to be shared with the Public Health Officials in order for them to assess any public health matters that may be involved.

In February, 2016 a report was prepared by the Public Health Ontario toxicologists that confirmed that there is currently inadequate information to characterize the potential exposures to residents; however, the report does provide general guidelines that may be followed by residents to limit their potential exposure to contaminants in the Waste Street Sweepings or soil.

8. Site Visits

I and/or other Ministry staff conducted site visits to the Cayuga Site, the Selkirk Site and the Other Sites with the assistance of the Public Health Officials. The following is a list of work I completed regarding the site visits:

- a) I personally visited the Cayuga Site and the Selkirk Site with a Public Health Official;
- b) With respect to the Cayuga Site, I have reviewed the Terrapex report and the information provided by the resident and have noted the following:
 - (i) There is a discrepancy of the reportable amounts of Waste Street Sweepings received;
 - (ii) The location of where the Waste Street Sweepings were deposited was known. The resident indicated that the Waste Street Sweepings appeared to be approximately 60 percent sand and were deposited in an area of the driveway, measuring approximately 50 x 30 feet. The area is covered with gravel and vehicles are parked within the area. The Terrapex report indicated that the Waste Street Sweepings are located approximately 155 m west of the driveway entrance from the road;
 - (iii) Other fill or excess soil was also received from Mississauga, but the location of

that material is separate from the location of the street sweepings.

- c) With respect to the Selkirk Site, I have reviewed the Terrapex report and the information provided by the property owner and have noted the following:
 - (i) The current owner purchased the property in 2015 without knowledge of the placement of the Waste Street Sweepings but indicated that he would request the previous owner to contact me which has not occurred yet;
 - (ii) The Terrapex report indicated that the Waste Street Sweepings are located approximately 690 m north of the driveway entrance from the road.
- d) I reviewed information provided by Ministry staff and the respective Public Health Officials regarding visits of 19 of the Other Sites;
- e) The 19 Other Sites were chosen because they are residential or agricultural use, and their locations are known. The following summarizes the information received from these visits:
 - (i) Three of the Other Sites property owners purchased their properties within the last six years and were unaware that Waste Street Sweepings were deposited on their respective properties;
 - (ii) Six of the Other Sites property owners were aware that the material received was Waste Street Sweepings and were able to identify the locations where the Waste Street Sweepings were deposited;
 - (iii) Seven of the Other Sites property owners acknowledge receiving material from Mississauga but didn't understand that the material was Waste Street Sweepings;
 - (iv) Three of the Other Sites property owners reported that the Waste Street Sweepings looked similar to sand;
 - (v) Two of the Other Sites property owners reported that debris was found in the Waste Street Sweepings;
 - (vi) One of the property owners provided a copy of a July 11, 2008 cover letter from the City addressed `To Whom It May Concern` with an attached July 9, 2008 letter from Trow Associates Inc. addressed to the City, along with a certificate of analysis. The cover letter stated "that the screened sweepings originate from municipal street sweeping operations undertaken by the City of Mississauga". The letter also stated that "With the exception of a slight exceedance of the Table 2 criteria for electrical conductivity in Samples #1 and #2 and a slight exceedance of the F3 fraction of Petroleum Hydrocarbon in Sample #2, the analysis did not indicate any other exceedances for the parameters tested. From an environmental perspective, the screened sweepings are considered suitable for non-engineering fill placements at residential/parkland/institutional property uses, subject to your review and acceptance."

9. Documents

The key documents that I have reviewed regarding the Waste Street Sweepings matter are:

1. *Report titled “City of Mississauga, Street Sweepings Receiving Site, Intrusive Investigations, 3085 River Road, Cayuga, Ontario, Final Report”, dated May 14, 2015, prepared by Terrapex Environmental Ltd. (Terrapex) and signed by Sara Legros and Jeff Stevenson.*
2. *Report titled “City of Mississauga, Street Sweepings Receiving Site, Intrusive Investigations, 813 Lakeshore Road, Selkirk, Ontario, Final Report”, dated April 10, 2015, prepared by Terrapex Environmental Ltd. (Terrapex) and signed by Siratha Chhan and Jeff Stevenson.*
3. *“Site Summary Table”, dated April 11, 2016, given to the Ministry on April 12, 2016, providing updated information regarding identification of properties where City of Mississauga’s street sweepings had been deposited between the years 2004 and 2011.*
4. *“Updated City Information on Street Sweepings Loads 2004-2011”, dated November 16, 2015, given to the Ministry on November 16, 2015, providing supplemental information about the number of loads of street sweepings that were deposited including a comparison to the information previously provided to the Ministry in 2012.*
5. *“Street Sweeping Sampling Results, The Corporation of the City of Mississauga 2004-2012”, dated November 16, 2015, compiled by Gowlings LLP, given to the Ministry on November 16, 2015.*
6. *“Opinion regarding potential environmental impact at 3085 River Road, Cayuga due to alleged use of City of Mississauga street sweepings as fill”, dated December 4, 2015, prepared by Arcadis.*
7. *“Opinion regarding potential environmental impact at 813 Lakeshore Road, Selkirk due to alleged use of City of Mississauga street sweepings as fill”, dated December 4, 2015, prepared by Arcadis.*
8. *Ministry Memo “City of Mississauga Street Sweepings”, dated September 4, 2015, prepared by Tim Edwards.*
9. *Ministry Memo “City of Mississauga Street Sweepings”, dated March 8, 2016, prepared by Tim Edwards.*
10. *“Street Sweepings Used as Fill at Residential Properties”, dated February 16, 2016,*

prepared by Public Health Ontario.

11. *“Responses to MOECC Comments (MOECC review dated March 8, 2016 in a memo from Tim Edwards to Tina Dufresne)”, dated April 21, 2016, prepared by Arcadis.*
12. *Ministry Memo “Mississauga Street Sweepings Arcadis Reports”, dated May 16, 2016, prepared by Chris Charron.*
13. *Information provided and collected by Ministry staff and the respective Public Health Officials during site visits carried out in May and June 2016.*

10. Attachment

The following is the attachment referred to in this Provincial Officer`s Report, which forms part of this Order:

Site Summary Table dated April 11, 2016, given to the Ministry by Mississauga on April 12, 2016.



Summary Table_Site Information_CLEAN_11April2016.pdf

Offence(s)

Suspected Violation(s)/Offence(s):	
Act - Regulation - Section, Description { General Offence }	

"Originally signed by"

Denise Plourde
Provincial Officer
Badge Number: 1290
Date: 2016/11/28
District Office: Halton-Peel District Office

No.	Municipality	Address	Year(s) Street Sweepings were Delivered	Loads of Street Sweepings Delivered	Notes
1	Mount Healy	3004 River Road	2008	See Footnote 1	
2	Mount Healy	3085 River Road	2008	See Footnote 2	
			2010	12	
			2011	27	
3	Selkirk	813 Lakeshore Road	2009	See Footnote 3	
			2010	21	
			2011	10	
4	Selkirk	1021 Lakeshore Road	2008	See Footnote 4	
5	Milton	7155 8th Line	2007	See Footnote 5	
6	Acton	13005 Townline Road	2007	See Footnote 6	
			2009	10	
7	Acton	11175 Highway 7	2004 ⁷	146	
			2005	58	
			2006 ⁷	2	
			2007	See Footnote 8	
			2009	28	
8	Cambridge	6659 Ellis Road	2010	3	
9	Guelph	6759 Sideroad 10	2010	10	
10	Alton	431139 19th Line	2010	2	
11	Caledon	18794 Horseshoe Hill Road	2010	See Footnote 9	
12	Haldimand County	Regional Road 53	2009	See Footnote 10	
			2010	3	
13	Campbellville	3475 Campbellville Sideroad	2004 ⁷	380	Campbellville Sand and Gravel Supply
14	Caledon	1795 Quarry Drive	2004 ⁷	327	Caledon Landfill
			2005	32	
15	Arthur	7240 5th Line West Garafraxa	2007	109	
			2008	21	
16	Mississauga	3539 Mavis Road	2005	9	
17	Empire Corners	900 Concession #2	2008	29	
18	Mississauga	2605 Royal Windsor Drive	2008	45	
19	Acton	Corner of Hwy 25 and 25 Sideroad	2008	16	
20	Acton	12525 Nassagawaya-Esquesing Townline	2009	72	
21	Mississauga	"Winston Churchill Capital Project"	2009	139	Capital project work in road allowance between Dundas and Burnhamthorpe.
22	Erin	5414 4th Line	2010	23	
23	Guelph	Hwy 34 and 10 Sideroad	2010	16	
24	Rockwood	12584 4th Line	2010	4	
25	Waterdown	1161 Concession 4W	2010	15	
			2011	50	
26	Carlisle	291 Carlisle Road	2010	4	
27	Milton	5182 8th Line	2010	41	
			2011	50	
28	Mount Healy	605 Link Road	2010	15	
29	Milton	211 5th Line	2011	2	
30	Acton	9163 Wellington County Road	2011	22	
31	Milton	5647 14th Sideroad	2011	(41) ¹¹	
32	Palgrave	9043 County Road	2011	18	
33	Whitby		2006 ⁷	48	No address identified in available records.
34	Cambridge		2007	53	No address identified in available records.
35	Acton		2007	126	No address identified in available records. The number of loads may include Site 6 and 7.
36	Mount Healy		2008	103	No address identified in available records. The number of loads may include Site 1 and 2.
37	Acton	"Farm Site"	2008	8	No address identified in available records.
38	Brampton		2010	1	No address identified in available records.
39	Haldimand County		2010	12	No address identified in available records.
40	Selkirk		2010	4	No address identified in available records.
41		"Private Landowner"	2004 ⁷	42	No addresses identified in available records.
			2005	272	
			2006 ⁷	194	
			2007	1	
42		"City Projects"	2004 ⁷	23	No address identified in available records.
43		"Warden Pit"	2006 ⁷	12	No address identified in available records.
44		"Newfie"	2010	2	No address identified in available records.
45		"Aquarium Farms"	2010	1	No address identified in available records.
46		"Dan"	2010	2	No address identified in available records.
47		"Pat's Farm"	2011	12	No address identified in available records.

Footnotes:

- 1 48 loads previously reported. A current review of available records did not identify this address as a receiver in 2008. The available records list only "Mount Healy" (#36), which may include this property.
- 2 42 loads previously reported. A current review of available records did not identify this address as a receiver in 2008. The available records list only "Mount Healy" (#36), which may include this property.
- 3 33 loads previously reported. A current review of available records did not identify this address as a receiver in 2009.
- 4 2 loads previously reported. A current review of available records did not identify this address as a receiver in 2008.
- 5 40 loads previously reported. A current review of available records did not identify this address as a receiver in 2007.
- 6 47 loads previously reported. A current review of available records did not identify this address as a receiver in 2007. The available records list only "Acton" (#35), which may include this property.
- 7 The available records do not distinguish between the types of materials shipped in each load (i.e. asphalt, concrete, fill, street sweepings, etc.)
- 8 42 loads previously reported. A current review of available records did not identify this address as a receiver in 2007. The available records list only "Acton" (#35), which may include this property.
- 9 13 loads previously reported. A current review of available records did not identify this address as a receiver in 2010.
- 10 16 loads previously reported. A current review of available records did not identify this address as a receiver in 2009.
- 11 This material was removed by the City's contractor at the owner's request.