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WASTE PROCESSING AND TRANSFER FACILITY APPROVAL OCTAGON MEDICAL SERVICES LTD.

The Solid Waste Management Committee recommends the adoption of the recommendations contained in the following report, December 13, 2005, from the Commissioner of Transportation and Works:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council not object to the Ministry of the Environment (MOE) issuing a Certificate of Approval to Octagon Medical Services Ltd. (Octagon), for the operation of a waste processing and transfer facility located at 4 Cardico Drive in the Town of Whitchurch-Stouffville, subject to the following conditions:
 - 1.1 Octagon submit to the Commissioner of Transportation and Works, at three-month intervals, sufficient records to document the quantities of materials received and processed by the facility; the municipalities of origin of these quantities; and the quantity of waste transferred to disposal facilities.
 - 1.2 Octagon ensure that all discharges from this operation to the storm sewer system meet the requirements of The Regional Municipality of York's By-Law No. S-0064-2005-009 and any existing and/or future amendments to it.
 - 1.3 If Octagon intends to send septage from its septic system to a Regional sewage treatment facility, then the company shall:
 - Enter into a hauled waste agreement with the Region to govern the septage entering a Regional facility.
 - Retain a certified laboratory to analyze the septage for chemical parameters to be determined by the Region and submit the analytical results to the Region prior to the material being removed from the septic system.
 - Use only haulers that are licensed by the MOE to transport septage from the septic system.
2. The MOE undertake a detailed analysis of the cost for the clean up, transportation, disposal and supervision of all quantities of waste on the site at any one time as a result of any occurrence requiring such action including, but not limited to, fire, spills, or any other emergency and ensure that it requires and maintains sufficient financial assurance for site clean up as per Section 131 of the *Environmental Protection Act*.

3. The Regional Clerk forward copies of this report to Octagon, the Clerk of the Town of Whitchurch-Stouffville, and the Ministry of the Environment (MOE).

2. PURPOSE

This report responds to a request from the Ministry of the Environment (MOE) for comments with respect to an application to issue a Certificate of Approval for a waste processing and transfer facility at 4 Cardico Drive in the Town of Whitchurch-Stouffville.

3. BACKGROUND

Octagon Medical Services Ltd. has applied to the MOE for a Certificate of Approval to operate a waste processing and transfer facility at 4 Cardico Drive in the Town of Whitchurch-Stouffville.

The MOE routinely advises municipalities of this sort of application and seeks comments prior to issuing approvals.

4. ANALYSIS

4.1 Description of Location, Facility and Operations

Attachment 1 is a map showing the location of the facility. The site has an area of 1.15 hectares (2.85 acres). The area is generally characterized by a mixture of industrial uses. The lands to the southeast are occupied by two rural residential dwellings. The entire industrial subdivision, including the two residences, is zoned Industrial General –Water Control.

Each of the lots within this industrial subdivision have their own water well and septic system. The “Water Control” designation with respect to the zoning implies that water may only be used for drinking, personal hygiene and general cleaning activities. This would not be an issue for the company because it would only use about two gallons of water per week for its proposed steam sterilization process. Furthermore, the company intends to install a plumbing system that would capture and recirculate this water for reuse.

The operation would be carried out within an existing industrial-type building, which has a total area of about 4,800 square feet. Approximately 800 square feet would be allocated to offices with the operation taking place in the remaining 4,000 square feet.

The business would involve the company collecting waste from medical establishments which include doctors, dentists, veterinarians, pharmacies, hospitals, and medical research facilities. The company would use its own cube-van type trucks which have a nominal capacity of one-half tonne.

The types of waste typically collected would include:

- Needles and syringes.
- Bandages, gauzes, and surgical gloves contaminated with blood.
- Dental amalgams containing silver and mercury.
- Pharmaceuticals that are expired.
- Lead sheets and vests used in the making of medical x-ray photos.
- Spent solutions used in the developing of medical x-ray photos.

It is not intended that the facility would be accepting body parts or liquids such as blood.

The proposed equipment and associated operations are summarized as follows:

- Upon arrival at the facility, all wastes would be off-loaded inside the building, inspected, and weighed on a floor scale.
- Specific types of waste would be stored in a large refrigerator, while other types of waste would be stored in metal drums.
- X-ray solutions would be siphoned into plastic shipping containers each having a capacity of 1,000 litres, which would be stored inside a diked area to capture any potential spills.
- Needles and syringes would be sterilized by high temperature steam inside of an autoclave device

The company has applied to receive up to six and one-half tonnes per day of the solid materials plus up to 4,000 litres per day of x-ray solutions. Furthermore, the maximum storage at the facility at any time would be limited to nine tonnes of solid materials plus 4,000 litres of liquid.

The requested hours of operation would be 6:00 a.m. to 11:59 p.m., Monday to Saturday inclusive. The service area would be the entire Province of Ontario. The waste would be transferred from the facility by contracted haulage companies to various disposal facilities located in Ontario and the United States.

4.2 Town of Whitchurch-Stouffville's Position

Octagon Medical Services Ltd. has applied to the Town to rezone the subject lands to allow the proposed operation as a permitted use on the property. Accordingly, the Town held two public meetings to solicit comments from interested members of the public and government agencies under the authority of the *Planning Act* with respect to the zoning by-law amendment application. These meetings were respectively held on September 27,

2005 and October 18, 2005. It is noted that the second public meeting was held because it was determined that the Town's policy for notice of a public meeting was not fully implemented for the first public meeting.

Accordingly, the Town submitted a response letter dated November 1, 2005 to the MOE. The Town's position is stated in the letter as follows:

"Arising from the Public Meetings, Council has determined that a more encompassing process is necessary to assess the appropriateness of this proposal in recognition of: the nature of the technology being employed to sterilize certain waste products, and, the appropriateness of the storage facilities proposed at this site. In recognition that these lands are serviced by individual private well and septic systems, and, that the property is situated within the Oak Ridges Moraine physiographic region, Council is of the belief that a broader and more encompassing review of the business practice is warranted beyond that which is available under the Planning Act.

To this end Council requests that a Hearing under Section 32 of the Environmental Protection Act be convened by the Environmental Review Tribunal to assess the appropriateness of the nature of this business proposal at 4 Cardico Drive."

4.3 Recommendations for a York Region Position

The Region has developed standard conditions, which can be applied when commenting on approval application, made under the *Environmental Protection Act* for waste management facilities. These were established through Regional Council's adoption of Clause 3 of Report No. 3 of the Solid Waste Management Committee on April 21, 2005 and they focus on the following key issues:

- The establishment or existence of a process to collect data to monitor diversion rates to assess the Region's progress toward diversion targets.
- The minimization of the risk of an accidental leak or spill.
- Financial assurance that can be used by the MOE to clean up problem sites.

The standard conditions are set out in the recommendations to this report.

Regional staff have an additional concern that is not addressed by the Region's standard conditions. In particular, the proposed facility would have to maintain its septic system by periodically having the contents pumped out and transported to a sewage facility for treatment and disposal. If Octagon Medical Services Ltd. intends to send this septage to a Regional facility, then it is recommended that the company:

- Enter into a hauled waste agreement with the Region to govern the septage entering a Regional facility.
- Retain a certified laboratory to analyze the septage for chemical parameters to be determined by the Region and submit the analytical results to the Region prior to the material being removed from the septic system.
- Use only haulers that are licensed by the MOE to transport septage from the septic system.

This facility, if managed properly, would serve a useful role by providing a local service for establishments in the Region that generate medical wastes. Therefore, it is recommended that the Region not object to the MOE issuing the Certificate of Approval, subject to the Region's conditions as outlined above.

5. FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

6. LOCAL MUNICIPAL IMPACT

There are no local municipal implications associated with this report.

7. CONCLUSION

This report responds to the MOE's request for comments with respect to the application by Octagon Medical Services Ltd. to operate a waste processing and transfer facility.

It is recommended that the Region not object to the MOE issuing the Certificate, subject to the Region's conditions as set out in the recommendations of this report.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause is attached to this report.)