

The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: Environmental Spill in the Cole Municipal Drain
DATE: 2022-08-29
REPORT #: OPS-22-040
PREPARED BY: Brett Ruck
DEPARTMENT: Operations

BACKGROUND INFORMATION

On Wednesday, August 17, 2022, at 6:45 PM, a local farmer contacted Staff to inform the Town of a potential spill in the ditch along Line 5 Road. Town Staff arrived on location and did an initial review of the situation; a spill of black material was identified. Specifically, the material was discovered along the Cole Municipal Drain running towards the Line 5 Landfill (Landfill). The material was generally travelling in a northerly direction and turned east at Line 5 toward the Landfill. It was evident at that point that the spill was already throughout the Cole Drain.

Town Staff immediately notified Ontario's Spills Action Centre (SAC) of the situation. The SAC directed Staff to contain the spill and further investigate to see the potential cause and source of the spill. SAC also indicated that, given the spill's extent, they contacted the Regional Environmental Spills group to assist the Town of Niagara-on-the-Lake.

A Provincial Officer from the Ministry of the Environment, Conservation and Parks (MECP) provided verbal direction to Town Staff at 9:47 PM Wednesday evening, directing the Town and the Region of Niagara to begin environmental clean-up. The MECP followed up with this direction in writing at 10:01 PM. A compliance officer from the Ministry of the Environment, Conservation and Parks (MECP) then attended the site at approximately 10:30 PM.

The Town is obligated to follow the direction of the MECP and meet duties under *O.Reg. 675/98* and the *Environmental Protection Act*. Town and Regional Staff responded to the MECP's direction as effectively and efficiently as possible and began the necessary actions to clean up the site.

While the spill's cause and source had not been definitively established then, the MECP Officer did not express concern for imminent human or wildlife safety.

Staff is committed to doing their due diligence to help ensure the ongoing health and well-being of those in the vicinity.

Containment and Remediation Actions:

Town Staff initially installed a berm inside the Cole Drain at Concession 5 Road and Line 5 Road as part of the containment measures. Staff then engaged a remediation contractor, Accuworx, to assist the Town with the clean-up. Accuworx, a company owned by GFL Environmental, is experienced in spill remediation, waste treatment, industrial cleaning and emergency response services. A remediation action plan was formulated with the Town Staff, the contractor, and the MECP Officer. This plan identified the next steps in the clean-up process; removing the contaminated water and potentially the dirt and vegetation, depending on the lab results.

Water samples were taken by Town technicians and taken to E3 Laboratories in Niagara-on-the-Lake.

Four berms were installed for containment measures at the following locations:

- (1) Line 6 Road on the north side in the Cole Drain,
- (2) south side of Line 5 Road in the Cole Drain,
- (3) west of Concession 5 Road on Line 5 Road,
- (4) south side of Line 4 Road in the Cole Drain.

The potential contaminant had already made its way to the upper Virgil Pond when Staff investigated. The contractor placed containment tanks along Concession 5 between Line 6 and Line 7 Roads. These tanks allow the vacuum trucks to release the fluids into a location close to the worksite. This allowed for a more efficient clean-up and use of resources. Tanker trucks were dispatched once the containment tanks were filled. These trucks took the material offsite to an official MECP receiver. The contractor also had four vacuum trucks that continued through the night. The clean-up operation was required to run 24 hours in an attempt to complete as much as possible before the anticipated rain storm that was forecasted for late Saturday, August 20.

On Friday, August 19, operations continued with a further discussion to complete the area's dewatering south of Line 4 road. The contractor brought additional containment tanks and two tanker trucks to the property. This operation continued until early Sunday morning when all water had been put into the containers. There was a lighter than originally predicted rain storm, and that material was contained within the installed berms.

The operation was downsized on Sunday, August 21, pending lab results. The MECP agreed with the Town's plan to reduce operations until lab results were known. The Town's remediation contractor is available to continue remediation efforts if needed, pending the outcome of the environmental conditions.

Following notification to Niagara Regional Dispatch, Regional Staff arrived on site by roughly 1:00 AM on August 18, 2022. Regional Staff remotely turned off the Landfill leachate collection system pumps via SCADA before driving to the Landfill as a precautionary measure in the event that the spill originated from the Landfill. When turning off the SCADA system, Regional Staff noticed that the system had pumped 9m³ over the previous 24 hours, indicating a small quantity of leachate in the collection system. The Landfill leachate collection system is working normally with no anomalies.

Actions by Regional Waste Management Staff:

Regional Staff attended the Landfill and, as a precautionary measure, turned off the pumps manually. Additionally, Regional Staff drove along the path of the force main line to check if there

were any breaks and inspected chambers along the force main and ditches. They did not detect anything out of the ordinary during the inspection. Due to its appearance, quantity and direction of flow, Staff's impression was that the spill was not landfill leachate. At approximately 2:30 AM, Staff informed the MECP and NOTL Staff that they could not find any issues at the Landfill or anywhere along the leachate collection system infrastructure. Regional Staff has confirmed that the Landfill leachate collection system is functioning normally with no anomalies. They have also advised that they remain available to assist the Town if needed.

NEXT STEP / CONCLUSION

On Monday, August 22, 2022, the consultant, contractor, an officer from the MECP, and Town Staff met to determine if any further remediation work would be beneficial to continue or whether lab results should be obtained first. It was determined that there should be one day and one night crew until lab results are received. At that point, the next steps will be developed and approved by MECP.

Lab results are anticipated by Friday, August 26, 2022. This information will help to determine the next steps to finish the remediation efforts.

The Town's insurer was promptly notified of the spill incident on Thursday, August 18, as per the Town's standard reporting protocols in these situations. As of August 22, the contractor's costs to date are \$599,978.17 (of which \$308,135.11 relates to disposal costs). The Town will seek to recover costs once the source is identified.

Currently, Staff has notified potentially impacted residents adjacent to the Cole Drain. Once the lab analysis is complete and the substance is known, additional steps will be determined, and more information will be provided to nearby residents, Town Council, and the public.

The Town will continue to do everything practicable to address the concern and prevent and eliminate any adverse effects from the spill.