



## **STAFF REPORT**

**TO:** Municipal Council

**FROM:** Marcia d'Eon, Director of Operations & Protective Services &  
Ryan Jamieson, Waste Diversion Officer

**APPROVED:** Erin Hartley, Deputy CAO

**DATE:** January 11, 2023

**SUBJECT:** C&D Site Cap Disturbance

---

### **ORIGIN**

It came to the attention of staff that the brush pile at the West Green Harbour C&D Site is resting on top of an environmentally capped area where the Municipality previously operated an incinerator.

### **RECOMMENDATION**

Be it resolved that the Council of the Municipality of the District of Shelburne approve the re-engagement of Dillon Consulting as consultants regarding the cap disturbance in an amount not to exceed \$11,000+HST.

### **BACKGROUND**

The Municipality of Shelburne operated an incinerator site at the RMRF facility which was closed in the late 1990's. When this site was closed the Municipality hired Dillon Consulting to complete an initial site assessment and site closure plan in accordance with Department of Environment directives. The site was capped between 1998-2004. At some time thereafter it was decided that the brush pile would be located in this area. The brush pile has been in use continuously since. The brush pile is pushed back with equipment several times per year to allow for more brush to be stored on the site. The Municipality currently engages the services of an outside company as required to chip and remove the pile.

### **DISCUSSION**

CAO Warren Macleod was reviewing old documents for the C&D site and noted that the previous incinerator site had been capped after it was decommissioned. Having recognized that the capped area was the same as the area we have been depositing brush upon he asked Ryan Jamieson to inspect the site and research.

Staff located the original engineering reports, and the original engineering company was contacted for clarification. Dillon Consulting was involved in the original site capping, and they walked the site with Ryan in late November. As a result of that site visit it has been determined that the cap appears to have been disturbed.

The brush drop-off, push back of piles, clean up of brush including chipping and removal with heavy equipment that has taken place on this site likely resulted in the capped materials being exposed over time.

Once it was discovered that the brush site had been a capped area that has been disturbed, all site activities were halted. The public was notified that the C&D site is not currently accepting brush.

Dillon Consulting has provided us with a quote of \$10,215+HST to provide consulting services for next steps, including meeting any requirements set forth by NS Department of Environment & Climate Change. Dillon Consulting was the original consulting company hired for the project and has access to the original approved site cap plan, mapping, and technical specifications. Given their history with the site, access to documents and time sensitive nature of this issue, we suggest that it is best to re-engage their services. Staff feel this meets the “urgency” requirement to forgo the competitive process as outlined in the Municipalities procurement policy. Legal has also been consulted and agrees with this approach.

NS Department of Environment & Climate change has been notified of the possibility of a cap disturbance.

**BUDGET CONSIDERATIONS:**

Staff has reviewed the available funds and proposes that the consulting fees be obtained from the following:

- \$3000 from Shared Services Professional
- \$2500 from Waste Programs
- \$2000 from C&D Scale & Maintenance Repairs
- \$1500 from Waste Advertising & Promotional
- \$1000 from C&D Equipment Maintenance
- \$850 from Waste Miscellaneous

The above funding options are all in the Shared Services Budget (current funding split is MDS 63.93%, TOS 23.69%, TOL 12.38%). It is hoped that savings can be achieved in these areas to keep within budget.

Site remediation and brush pile relocation are items which may have large budget impact in 2023/2024. These costs will not be known until the consultants complete their work and quotes have been received. Staff is working on these items and will update at a later date.

**NEXT STEPS**

Reengage Dillon Consulting to determine next steps if any.