Environmental Assessment Act  
Loi sur les évaluations environnementales

ONTARIO REGULATION 118/92

EXEMPTION — THE TOWN OF LINDSAY — LIND-T-1

**Consolidation Period:** From March 11, 1992 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

No amendments.

This Regulation is made in English only.

Having received a request from The Corporation of the Town of Lindsay (the “Town”) that an undertaking, namely:

The continued operation, as an interim measure, and closure of the existing and approved Town of Lindsay-Ops Landfill Site, situated on the east half of Lot 26, Concession 5, Township of Ops, for the disposal of domestic and non-hazardous, industrial and commercial wastes, with the changes as described in the Report entitled “The Town of Lindsay Report On Section 29 Environmental Assessment Act Exemption Request – Lindsay-Ops Landfill”, dated April, 1991, prepared by Totten Sims Hubicki Associates,

be exempt from the application of the Act pursuant to section 29; and

Having been advised by the Town that if the undertaking is subject to the application of the Act, the following injury, damage or interference with the persons and property indicated will occur:

A. The Town will be subject to delay and expense if it is required to prepare an environmental assessment for the interim undertaking.

B. The current users of the site who are located in Victoria County, the Town of Lindsay, the Township of Ops and the Village of Omemee will be without a municipal waste disposal facility as of mid 1992.

Having weighed such injury, damage or interference against the betterment of the people of the whole or any part of Ontario by the protection, conservation and wise management in Ontario of the environment which would result from the undertaking being subject to the application of the Act;

The undersigned is of the opinion that it is in the public interest to order and orders that the undertaking is exempt from the application of the Act for the following reasons:

A. The continued operation of the existing landfill is clearly an interim measure for which there is no other reasonable waste management alternatives which can be implemented within the necessary timeframe.

B. Alternatives have been investigated.

C. A public hearing under Part V of the Environmental Protection Act for the approval of the continued operation will be held.

D. It is the intention of the proponent that a long-term waste management program be pursued in accordance with applicable legislation and that sufficient elements of the program will be implemented prior to the conclusion of the exempt undertaking.

This exemption order is subject to the following terms and conditions:

1. Where any activity which otherwise would be exempt under this order is being carried out as or is part of an undertaking for which an environmental assessment has been accepted and approval to proceed received, the activity shall be carried out in accordance with any terms or conditions in the approval to proceed as well as the conditions of this order.

2. Where any activity which is the subject of this order is being carried out as or is part of another undertaking which is the subject of an exemption order under the Act, the activity exempt under this order shall be carried out in accordance with any terms or conditions in the other exemption order as well as the conditions in this order.

3. No waste shall be disposed of from the Village of Omemee pursuant to this order after the earlier of,

(i) five years after a Provisional Certificate of Approval for the waste disposal site has been issued pursuant to this order, and

(ii) the commencement of operations of a waste disposal site pursuant to the Victoria County Waste Management Master Plan,

unless an application for an approval under the Environmental Assessment Act for an undertaking under the Victoria County Waste Management Master Plan which includes a waste disposal site has been submitted to the Minister under the Act, in which case, no waste shall be disposed of from the Village of Omemee pursuant to this order more than one year after a decision is made under the Act to approve or not approve the undertaking.

4. The Town obtaining all necessary approvals for the implementation of a long-term waste management program in accordance with applicable legislation within the interim period specified in condition 3 shall be pursued expeditiously.

5. The Town shall file an annual report to the director, Central Region, Ministry of the Environment, outlining the Town’s progress in achieving leachate abatement at the existing site and progress in implementing a long-term waste management program; a copy of the reports shall be given to the Directors of the Environmental Assessment and Approvals Branches of the Ministry of the Environment. Copies of the reports referred to in this exemption order shall be kept in the public records maintained under section 30 of the Act at the Environmental Assessment Branch.

6. In preparing material and carrying out studies for this application under Part V of the Environmental Protection Act, the Town shall consult with any public authorities and groups who express an interest therein and provide them with copies of all relevant material.

7. In the event the site is acquired by another municipality, the acquiring municipality shall carry out the responsibilities of the Town under this order. O.Reg. 118/92.

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