Environmental Assessment Act  
Loi sur les évaluations environnementales

ONTARIO REGULATION 292/92

EXEMPTION — TOWNSHIP OF ROXBOROUGH — ROXB-TP-1

**Consolidation Period:** From June 4, 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 Township of Roxborough, Stormont County (the “Township”), that an undertaking, namely:

The interim expansion, operation and closure of the existing and approved Roxborough Township landfill site situated on the east half of lot 29, Concession VII, Township of Roxborough, for the disposal of domestic, commercial and non-hazardous solid industrial waste, with the changes as described in the Reports entitled “Township of Roxborough, Stormont County, Interim Expansion Study, Document I, Environmental Assessment Act, Section 29 Exemption Request Under MOE Policy No. 03-05” and “Township of Roxborough, Stormont County, Document II, Final Submission, Hydrogeological Investigation and Operation and Closure Plan for the Proposed Interim Expansion Area” dated December, 1991, prepared by Water and Earth Science Associates Ltd.,

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

Having been advised by the Township 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 Township will be subject to delay and expense if it is required to prepare an environmental assessment for the interim undertaking.

B. The Township will be subject to unnecessary delay and expense in implementing its long-term waste management program.

C. The Township and its residents will be without a municipal solid waste disposal facility.

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 are no other reasonable waste management alternatives which can be implemented within the necessary time frame.

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, thereby permitting the public and government agencies the opportunity to review the proposed changes to the site.

D. It is the intention of the Township that the proposed long-term waste management program of the United Counties of Stormont-Dundas-Glengarry be pursued in accordance with applicable legislation and the Township expects that sufficient elements of the program will be implemented prior to the conclusion of the exempt undertaking so that the Township will not have to seek further approvals for waste disposal sites.

This exemption 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 deposited at the Roxborough landfill site pursuant to this order after the earlier of:

i. five years after the date of the Provisional Certificate of Approval for the waste disposal site has been issued for the purpose of this order, and

ii. the commencement of operations of a waste disposal site pursuant to the United Counties of Stormont-Dundas-Glengarry Waste Management Master Plan,

unless an application for an approval under the Environmental Assessment Act for an undertaking under the United Counties of Stormont-Dundas-Glengarry Waste Management Master Plan which includes a waste disposal site proposed for use for waste from the Township has been submitted to the Minister under the Act, in which case, no waste shall be disposed of by the Township pursuant to this order more than one year after a decision is made under the Act to approve or not approve the undertaking.

4. Commencing no later than January, 1993, the Township shall file an annual report to the Director, Southeastern Region, Ministry of the Environment, outlining the Township’s progress in achieving abatement at the existing site and progress in implementing the long-term waste management program; a copy of the reports shall also be given to the Director, Approvals Branch, Ministry of the Environment. The Township may cease filing such reports after the site has been closed to the Director’s satisfaction and the Director has advised the Township in writing that further reports are not required pursuant to this condition.

5. Except as may be provided in the certificate of approval issued under Part V of the Environmental Protection Act, the Roxborough Township landfill site shall be operated in accordance with the reports referred to in the description of the undertaking. O. Reg. 292/92.

[Back to top](" \l "Top)