Environmental Assessment Act  
Loi sur les évaluations environnementales

ONTARIO REGULATION 309/91

EXEMPTION — THE CORPORATION OF THE TOWNSHIP OF GODERICH, THE CORPORATION OF THE TOWN OF GODERICH, THE CORPORATION OF THE TOWN OF CLINTON AND THE CORPORATION OF THE TOWNSHIP OF COLBORNE — GODE-T-1

**Consolidation Period:** From June 19, 1991 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 Goderich, the Proponent, on behalf of itself and the following members of the Mid-Huron Landfill Site Board of Management: The Corporation of the Town of Goderich, The Corporation of the Town of Clinton and The Corporation of the Township of Colborne, that an undertaking, namely:

The expansion of the service area for the Mid-Huron Landfill Site, located at the intersection of Huron Road No. 31 and Highway 8 in the Township of Goderich on Part of lots 13, 14 and 15, Huron Road Concession, and Part of Lot 82, Maitland Concession, for disposal of municipal solid wastes, and operated by the Mid-Huron Landfill Site Board of Management under Certificate of Approval No. A161302, to permit the continued landfilling of municipal solid wastes from the Village of Bayfield, the Village of Lucknow, the Township of Tuckersmith and the Town of Seaforth, which municipalities are also members of the Mid-Huron Landfill Site Board of Management, in accordance with the “Application for an EA Exemption to Increase the Service Area of the Mid-Huron Landfill Site”, dated February 1, 1991, and the supporting documents referenced therein,

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

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

A. The Proponent and other members of the Mid-Huron Landfill Site Board of Management, including the municipalities covered by the service area expansion, will be subject to delay and expense if it is required to prepare an environmental assessment for the undertaking.

B. The additional municipalities and their residents will be without economic and secure access to 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. Use of the existing landfill by the additional municipalities 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 expanded service area will be held.

D. The Mid-Huron Landfill Site Board of Management is supporting the Huron County Waste Management Master Plan’s Development of a long-term waste management program.

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. The Mid-Huron Landfill Site Board of Management shall obtain from the Steering Committee of the Huron County Waste Management Master Plan by December 31, 1991 a detailed proposal consisting of a plan and generic schedule for its long-term strategy for waste management and present the plan to the Director, Environmental Assessment Branch, and send copies to the Director, Approvals Branch, and to the Ministry of the Environment Regional Director.

4. No waste shall be disposed of by the additional municipalities 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 Huron County Waste Management Master Plan,

unless an application for an approval under the Environmental Assessment Act for an undertaking under the Huron 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 by the additional municipalities pursuant to this order more than one year after a decision is made under the Act to approve or not approve the undertaking. O. Reg. 309/91.

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