

Notes of a meeting about the Appletex Property

- 9 January 2009
- Mississippi Mills Council Chambers.

Attendees:

- Representatives of the Appletex Committee of the Appleton Community Association: Lynn Attley, Alison Ball (Chair), Lee Brebner, Barbara Grisdale, Gordon MacNabb, Linda Monkhouse, Margaret Shanahan, Linda Tranter.
- Ministry of the Environment: Paul Kehoe (District Supervisor, Ottawa), Rick Watchorn (Senior Environmental Officer)
- Mississippi Mills: Bob Demerath (Building Inspector), Diane Smithson (CAO), Stephen Stirling (Town Planner)
- Mississippi Valley Conservation: John Price (Watershed Management Coordinator), Alyson Symon (Watershed Planner)

Purpose of meeting:

- The purpose of the meeting was to share information among the participants and to give the Appletex Committee of the Appleton Community Association a chance to ask questions and raise concerns.

Mississippi Mills:

- One of the main concerns of the residents was that it was difficult to know which organization to contact to report activity on the site. Stephen Stirling offered to be the main contact.
- Stephen Stirling offered to establish a mailing list of all the meeting participants, which could be used to share information. His goal is to provide a monthly update to this group.
- The Town Planner has had preliminary discussions with the consultant representing Paul Dulmage and a developer regarding a plan to potentially build a residential development consistent with the surrounding properties. This could potentially require a change to the Community Official Plan and a zoning change from General Industrial to Residential. An environmental assessment would be required to change the zoning. The owners would be required to show that the site is clean enough to meet residential zoning. Brownfield development regulations would apply.
- As part of Stephen Stirling's orientation to his new position as Town Planner, he visited the site with the Bob Demerath. While at the site, they noticed what appeared to be unauthorized clean up and soil removal work. This was in the vicinity of the oil spill. This resulted in a meeting with the engineer hired by Paul Dulmage, Mississippi Mills, MOE and MVC (see notes under MVC below).
- Related to the fire of February 2007, Mississippi Mills doesn't know the results of either the Fire Marshall's report or the OPP report. Municipal staff would look into the status of the Fire Marshall's report.
- Mississippi Mills could not confirm that the taxes are being paid on the property.
- Mississippi Mills is not responsible for private roads. There should be an easement on the Appletex property deed specifying that a private road on the property is being used by local residents.

Mississippi Valley Conservation:

- Some of the property is designated as Provincially Significant Wetland and most of the rest of the property is within the 120m Wetland Regulation Limit. Some of the areas of the property that border the river are within the flood plain regulation limits. There are many development restrictions within the 120m Wetland Regulation Limit and permits are required for many activities; e.g., fill and site grading.
- For the clean up of the oil spill along the riverbank, Mississippi Valley Conservation reissued a permit to Paul Dulmage "to undertake remedial work within the regulation limit of the Mississippi River". The work must be completed by Aug. 17th, 2009. This is the only valid permit at this time. The site must be stabilized, which means grass or vegetative cover. It does not have to be returned to the original state, which was tree cover. Paul Dulmage began removing soil from the oil spill site in order to begin blasting. The blasting would have been a method of removing oil from the fractured bedrock. When the applicant's engineering consultant discussed blasting with MVC, he was informed that blasting is not part of his remediation permit. Blasting would require a separate permit, a blast survey and a complete review of nearby house structures and wells. MVC has not received a permit application to undertake blasting activities. Instead, the consultant may pursue hoe ramming the rock. The goal is to create a reservoir for the oil in the groundwater, to then collect the oil and to move it offsite.
- A permit was issued to Paul Dulmage giving him permission to re-establish the berms on the lagoons. This work was completed. He had requested to fill in the lagoons but no permission has been given. Only certain types of fill can be used to fill the lagoons. A lot of waste material from the Appleton Bridge repairs was dumped on the property (MVC has no knowledge of this). It has not been demonstrated to MVC that this material is suitable. There is some paint on some of the rubble. An engineer for Paul Dulmage has stated that the paint doesn't have lead in it.
- The lagoons are within the Provincially Significant Wetland and the MVC doesn't support filling in Provincially Significant Wetlands.

Ministry of the Environment:

- In order to change zoning, a Record of Site Condition would have to be filed with the MOE. It would include a history of the site. MOE doesn't analyze any claims of the Records of Site Condition because they are completed by qualified engineers.
- After the lagoons were breached, the MOE completed some sediment testing. The testing confirmed that the sediments of the lagoons are contaminated by metals, which are probably textile dyes. Several of the pond and apron sediment results exceeded the Lower Effects Limit (e.g., for chromium, copper, manganese, zinc, iron and nickel). On one occasion, manganese exceeded the Severe Effects Limit. The report states that the contaminated sediment in the adjacent wetland was likely caused by the lagoons being breached and that, if the breaches were left, additional contaminants would impact the wetland and water quality of the Mississippi River.
- The berms of the breached lagoons were reinstated in July 2008 as a requirement of the MVC.
- Early mill operations used the lagoons. During the 1990's the lagoons were used only for water-based dyes, not metallic dyes.

- MOE thinks that there is probably similar sediment contamination in the river as there is in the lagoons because, before the lagoons were built, the effluent was discharged directly into the river.
- There was groundwater study undertaken in the 1990's around the time the mills closed and a report is on file with the MOE. This study indicated that the flow of the ground water at the oil spill site is away from the nearby houses.
- The residents asked MOE to provide full spectrum tests of the well water of nearby residences. MOE feels that it is unnecessary since there is no evidence to indicate any contamination of nearby wells. They suggested that the residents monitor their well water for the smell and taste of oil.

Site activity:

- Paul Dulmage has hired an engineering company that is currently undertaking a Phase 2 Environmental Assessment (drilling test holes).

Site ownership:

- Company 724597 Ontario Inc. is the registered owner of the property. Linda Tranter reported that, several months ago, she completed a corporate search of the company, 724597 Ontario Inc. The corporate filings had not been updated for several years. Jim Collie, who died almost 2 years ago, was still listed as a corporate officer. Paul Dulmage was not listed as a corporate officer.
- None of the attendees at the meeting had seen any proof that Paul Dulmage is the owner of the property. Permits related to work on the property can only be issued to the owners of the property. Permits have been issued to Paul Dulmage, based on him asserting that he is the owner of the property.

Notes prepared by Alison Ball and reviewed by the Appleton attendees, Mississippi Mills, MOE and MVC.

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