



**REPORT ON GOVERNMENT CONSULTATIONS FOR:
ENVIRONMENTAL NOXIOUSNESS, RACIAL INEQUITIES
& COMMUNITY HEALTH (ENRICH) PROJECT**

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Justin Huston, Executive Director, Office of Aboriginal Affairs

Beata Dera, Senior Consultation Advisor, Office of Aboriginal Affairs

Megan Leslie, MP

Terry Toner, Director of Environmental Services, Nova Scotia Power

Sandy Cameron, Environmental Health Officer, Environmental Public Health Program, First Nations & Inuit Health Branch, Health Canada

Wayn Hamilton, Chief Executive Officer, Office of African Nova Scotian Affairs

Sylvia Parris, Manager, African Nova Scotian Affairs Integration Office

Cameron Deacoff, Environmental Performance Officer, Energy & Environment, Halifax Regional Municipality

Dr. Frank Atherton, Deputy Chief Medical Officer of Health, Nova Scotia Department of Health & Wellness

Gary O'Toole, Director, Environmental Health, Nova Scotia Department of Health & Wellness

Jeff Knapp, Manager, Energy Efficiency, Halifax Regional Water Commission

Barry Geddes, Watershed Manager, Halifax Regional Water Commission

Information on the ENRICH Project:

ENRICH Project Website

<http://www.enrichproject.org/>

ENRICH Project Facebook Page

<https://www.facebook.com/pages/Environmental-Noxiousness-and-Racial-Inequities-Enrich-Project/417745134992417>

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EXECUTIVE SUMMARY



The *Environmental Noxiousness, Racial Inequities & Community Health* (ENRICH) project is a collaborative community-based project that is investigating the cause and effects of waste disposal sites and other activities situated near to Mi'kmaw and African Nova Scotian communities. A series of meetings and workshops were held in these communities in 2013 and 2014 to identify residents' concerns about these issues. Following the series of meetings and workshops, Dr. Waldron consulted with various government departments and agencies, as well as private sector agencies to determine how various government departments/agencies can address these concerns. These

consultations had the following objectives:

- To share findings from the meetings and workshops about Mi'kmaw and African Nova Scotian residents' concerns about the health effects of waste disposal sites and other activities near to their communities;
- To identify government departments/agencies and companies responsible for regulating and operating waste disposal sites and other activities near to Mi'kmaw and African Nova Scotian communities; and
- To determine how government can respond to and address residents' concerns about these issues.

Dr. Waldron consulted with the following government departments/agencies between March and October 2014:

- **HRM Environment & Sustainability Committee** (including HRM Councillor Jennifer Watts) (March 6, 2014)
- **Paul Currie, Senior Contaminated Sites Management Specialist, Nova Scotia Department of Environment** (March 31, 2014)
- **Nova Scotia Environment** (April 7, September 18 & October 31, 2014).

These meetings were attended by the following individuals:

- **Peter Geddes, Director of Policy & Planning, Nova Scotia Environment** (April 7, 2014).
- **Senior Management Team (Lorrie Roberts, Executive Director, Policy Division; Roger Munroe, Executive Director, Compliance; and Marianne Jollymore, Executive Director, Communications), Nova Scotia Environment** (September 18, 2014).
- **Peter Geddes, Lorrie Roberts and Lori Skaine, Director, Regional Integration & Coordination, Compliance** (October 31, 2014).
- **Justin Huston, Executive Director, Office of Aboriginal Affairs** (April 7, 2014)
- **Beata Dera, Senior Consultation Advisor, Office of Aboriginal Affairs** (April 7, 2014)

- **Megan Leslie, MP** (April 11, 2014)
- **Terry Toner, Director of Environmental Services, Nova Scotia Power** (April 29, 2014)
- **Sandy Cameron, Environmental Health Officer, Environmental Public Health Program, First Nations & Inuit Health Branch, Health Canada** (May 6, 2014)
- **Wayn Hamilton, Chief Executive Officer, Office of African Nova Scotian Affairs** (May 6, 2014)
- **Sylvia Parris, Manager, African Nova Scotian Affairs Integration Office** (May 30, 2014)
- **Cameron Deacoff, Environmental Performance Officer, Energy & Environment, Halifax Regional Municipality** (June 4, 2014)
- **Dr. Frank Atherton, Chief Deputy Medical Officer, Nova Scotia Department of Health & Wellness** (June 24, 2014)
- **Gary O'Toole, Director, Environmental Health, Nova Scotia Department of Health & Wellness** (June 24, 2014)
- **Jeff Knapp, Manager, Energy Efficiency, Halifax Regional Water Commission** (June 25, 2014)



OVERVIEW OF THE ENRICH PROJECT

The *Environmental Noxiousness, Racial Inequities & Community Health* (ENRICH) Project was established in the spring of 2012. ENRICH is a collaborative community-based project investigating the cause and effects of waste disposal sites and other environmentally hazardous activities near to Mi'kmaw and African Nova Scotian communities. The ENRICH team is comprised of university faculty/researchers and an Advisory Committee comprised of community members and non-profit organizations coalescing to support and connect long-standing community initiatives. The activities of ENRICH focus specifically on the links between industrial contaminants, health, environmental epidemiology, racial inequities, and policy/planning decisions. Currently, the project focuses on Mi'kmaw and African Nova Scotian communities in the following regions:



- **Yarmouth (Acadia First Nation)**
- **Membertou**
- **Eskasoni**
- **Lincolntonville**
- **North Preston**
- **Halifax Regional Municipality (HRM) and Surrounding Areas**

The main purpose of ENRICH is:

- To explore both the socio-economic outcomes and health effects associated with waste disposal sites and other environmentally hazardous activities near to Mi'kmaw and African Nova Scotian communities;
- To improve the flow of research benefits to these communities by ensuring that these activities serve as a platform to investigate, while potentially informing provincial regulatory requirements for environmental justice and access to clean resources in Mi'kmaw and African Nova Scotian communities; and
- To support community efforts for mobilizing on the effects of waste disposal sites and other environmentally hazardous activities near to these communities.

FINDINGS FROM MEETINGS WITH GOVERNMENT

YARMOUTH (ACADIA FIRST NATION)

RESIDENTS' CONCERNS

- High rates of certain illnesses in the community, including cancer, allergies and asthma;
- Diesel fluid dumped into an area on the Yarmouth Reserve;
- Black mould growing in homes;
- Arsenic in the water at the Gold River Reserve;
- Wind turbines in Pubnico that may be associated with high rates of cancer, families vacating their homes and depreciating property values;
- Contaminated soil and patchy, yellow grass at the Yarmouth Reserve, which was built on an old dump; and
- A salvage yard (junk yard) that has existed underneath the reserve for over 60 years and which has long been used as a dumping ground for abandoned car parts.

RESIDENTS' RECOMMENDATIONS

- Conduct water testing in different locations.
- Conduct soil testing in different locations.

PRIVATE SECTOR RESPONSE

Meeting with Terry Toner, Director of Environmental Services, Nova Scotia Power:

- The wind farm in Pubnico (Acadia First Nation) is a private wind farm and, therefore, not the responsibility of Nova Scotia Power.
- Nova Scotia Power has had ongoing consultations with First Nations communities in different regions and has participated in open houses to engage residents in discussions about their concerns.
- Nova Scotia Power has also been developing partnerships with First Nations communities.

GOVERNMENT'S RESPONSE

Meeting with Peter Geddes, Director, Policy & Planning, Lorrie Roberts, Executive Director, Policy Division & Lori Skaine, Director, Regional Integration & Coordination, Compliance, Nova Scotia Environment:

- Nova Scotia Environment does not deal with on-reserve issues, such as the salvage yard (junk yard) in Yarmouth.
- Concerns about the salvage yard in Yarmouth may be addressed by contacting Aboriginal Affairs & Northern Development Canada or Justin Huston, Executive Director, Office of Aboriginal Affairs.
- Residents who are off reserve and who are aware of contamination spills should report it to the nearest Nova Scotia Environment Office in Yarmouth.
- Nova Scotia Environment does not conduct water or soil testing, but can require companies responsible for a spill or release to do so.

Meeting with Sandy Cameron, Environmental Health Officer, Environmental Public Health Program, First Nations & Inuit Health Branch, Health Canada:

- First Nations & Inuit Health Branch will test soil and water at no cost. Residents will pay for testing if the Chief conducts water and soil testing.
- Residents may also contact and hire environmental consultants (engineers) to have water and soil testing conducted independently.
- Band and tribal councils can apply for funding to conduct studies on environmental contaminants through the *First Nations Environmental Contaminants Program*, which is funded by Health Canada.
- Residents of Acadia First Nation reserve in Yarmouth may contact Len O'Neill, Environmental Health Officer at the Inuit Health Branch, about their concerns related to the junkyard that has existed under the reserve for decades.
- Residents who have concerns about mould in their homes may contact Len O'Neill to request a house inspection. They can also contact Chief Deborah Robinson (Acadia First Nation).
- Arsenic in the water is a naturally occurring phenomenon that results from rock formations. Residents should address this issue by installing a unit under the sink that removes arsenic. Many homes in Gold River have this unit.
- Environmental health officers at the Inuit Health Branch can hold educational/ information sessions about environmental health issues in First Nation communities.

MEMBERTOU & ESKASONI

RESIDENTS' CONCERNS

- High rates of certain illnesses and disabilities in the community, including cancer, diabetes, high blood pressure, asthma and learning disabilities (e.g. autism);
- Chemicals in the water, resulting in toxins in food;
- Toxic waste in the sewer system, including diesel, paint and paint thinner;
- Garbage from Yarmouth flowing into the Guysborough waste dump site;
- Contamination of the bay and fish due to pulp wood from the pulp industry; and
- Power lines running through reserves.

RESIDENTS' RECOMMENDATIONS

- Consider removing and/or re-directing the above-mentioned environmental hazards;
- Identify an agency that residents can contact to have their concerns about waste disposal sites and other activities addressed;
- Educate residents (including youth) about proper waste management approaches.

PRIVATE SECTOR RESPONSE

Meeting with Terry Toner, Director of Environmental Services, Nova Scotia Power:

- Nova Scotia Power paid for the right to install power lines in Membertou.
- Mr. Toner does not believe that power lines are hazardous. There are no studies linking power lines to cancer or other diseases. For example, Dr. Gaynor Watson-Creed, Medical Officer of Health for the Capital District Health Authority and the IWK Health Centre, conducted a study on this issue two years ago. Findings, which are outlined in the Harbour East Report, show that there is no relationship between power lines, cancer and other illnesses.
- Nova Scotia Power is making great efforts to do a more effective job in locating power lines, with assistance from community members.
- Nova Scotia Power has been developing ongoing partnerships with First Nations communities, including holding consultations in these communities. For example, Mr. Toner has participated in open houses to engage residents in discussions about their concerns.

GOVERNMENT'S RESPONSE

Meeting with Peter Geddes, Director, Policy & Planning, Lorrie Roberts, Executive Director, Policy Division & Lori Skaine, Director, Regional Integration & Coordination, Compliance, Nova Scotia Environment:

- Residents who are off reserve and who are aware of contamination spills should report it to the nearest Nova Scotia Environment office in Yarmouth. Nova Scotia Environment does not conduct water or soil testing, but can require companies responsible for a spill or release to do so.

Meeting with Sandy Cameron, Environmental Health Officer, Environmental Public Health Program, First Nations & Inuit Health Branch, Health Canada:

- Membertou residents who have concerns about contaminated water and toxic waste in the sewer system may contact the City of Sydney (since they receive their water from Sydney).
- The Department of Engineering in the City of Sydney is responsible for the running of the treatment system.
- The Department of Engineering in the City of Sydney also delivers workshops on environmental health issues.
- Arsenic in the water is a naturally occurring phenomenon that results from rock formations. Residents should address this issue by installing a unit under the sink that removes arsenic.
- First Nations & Inuit Health Branch will test soil and water at no cost. It is important to note, however, that residents will have to pick up the costs for testing if the Chief conducts water and soil testing.
- Residents who are not on reserve and would like to have soil and water tested in their region may contact Environment Nova Scotia.
- Residents may also hire environmental consultants (engineers) to have water and soil testing conducted independently.
- Band and tribal councils can apply for funding to conduct studies on environmental contaminants through the *First Nations Environmental Contaminants Program*, which is funded by Health Canada.
- Environmental health officers at the Inuit Health Branch are able to conduct educational/information sessions in First Nation communities about environmental health issues.

LINCOLNVILLE, SUNNYVILLE & UPPER BIG TRACADIE

Residents' Concerns

- High rates of certain illnesses in the community, including cancer (prostate, stomach, lung, and skin cancers) and diabetes;
- Water contamination due to leaking from the first generation landfill, which was opened in Guysborough in the early 1970s;
- The opening of a second-generation landfill in 2006 at the site of the old facility;
- Toxins in the soil; and
- Lack of support from and responsiveness by community liaisons responsible for waste management.

RESIDENTS' RECOMMENDATIONS

- Support the Lincolnville Environmental Group Society in receiving a copy of the Bunker C Report from Nova Scotia Environment;
- Encourage the Councillor to listen to residents' concerns about how the landfill is affecting the health and socio-economic well-being of residents;
- Determine the Municipality's current and future plans for ensuring a safe and healthy environment for residents;
- Assist residents in getting water testing conducted independently;
- Assist residents in getting soil testing conducted independently;
- Identify independent monitors who can confirm what is being dumped into the landfill site;
- Encourage the Municipality of Guysborough County, the Government of Nova Scotia and Liaison Representatives to take ownership of and be accountable for the impact the landfill site has had on the health and socio-economic well-being of residents; and
- Put pressure on the Municipality to re-direct the waste that is being sent to landfill to another area where the government could deal with it more effectively.

NB: Paul Currie, Senior Contaminated Sites Management Specialist, Nova Scotia Environment, stated the following during a conversation with the author on March 31, 2014:

- There has been a delay in the release of the Bunker C Report because it has taken some time to get new management "up to speed" about the project upon which the report is based.
- The Bunker Report is only relevant to provincial crown lands in Richmond and Guysborough counties and has no relevance to residents' concerns about the landfill in Lincolnville.
- Mr. Currie is interested in sharing report findings with Mr. James Desmond, a member of the Lincolnville Environmental Group Society who has expressed an interest in receiving a copy of the report.

GOVERNMENT'S RESPONSE

Meeting with Peter Geddes, Director, Policy & Planning, Lorrie Roberts, Executive Director, Policy Division & Lori Skaine, Director, Regional Integration & Coordination, Compliance, Nova Scotia Environment:

- Nova Scotia Environment will review the Bunker Report and determine next steps for sharing findings with interested parties.
- An email sent to the author by Peter Geddes on November 5, 2014 (including an embedded email from Lori Skaine on November 5) states the following:
 - ◇ In accordance with the Solid-Waste Resource Management Strategy at Nova Scotia Environment, the first generation landfill in Guysborough stopped receiving municipal solid waste on December 31, 2005.
 - ◇ A closure plan for the first generation landfill was received by the Department in June 2006. The approval to close the first generation landfill was issued on September 7, 2006.
 - ◇ Concerns from the Lincolnville Concerned Citizens Group and the Ecology Action Centre regarding the first generation landfill have been expressed to Nova Scotia Environment. Staff met with members of the community and the Ecology Action Centre on January 28, 2009.
 - ◇ Nova Scotia Environment followed up on these concerns and replied to the Ecology Action Centre in letters dated March 17, 2009 and June 29, 2009.
 - ◇ Nova Scotia Environment staff conducted a tour of the first generation landfill with staff from the Ecology Action Centre, the Lincolnville Concerned Citizens Group and the Municipality of the County of Guysborough on September 25, 2009. There was no evidence from the site inspection, nor information provided to staff as a result of the tour, that indicated any adverse impacts to environmental receptors near the landfill.
 - ◇ A second generation landfill at Meaghers Hill, Guysborough County commenced operation on January 1, 2006 under an approval from the Department. The second generation landfill was constructed in accordance with Nova Scotia Environment's Solid Waste Landfill Guidelines and incorporates impermeable liners and a leachate collection system. Terms and conditions placed on the approval require the proponent to monitor the groundwater and surface water across the site and the leachate generated at the site.
 - ◇ The second generation landfill is located due east of the first generation landfill and is further removed from the community of Lincolnville. The nearest residence is approximately 1.5 km from the second generation landfill.
 - ◇ The grand opening of the second generation landfill was held on May 25, 2006. Protesters from Lincolnville and Upper Big Tracadie were present at the landfill entrance.
 - ◇ An "emergency meeting" was called by the Concerned Residents of Lincolnville on August 19, 2006, to discuss the location of the second generation landfill.
 - ◇ A protest by the Concerned Citizens of Lincolnville was conducted in February 2008 at the gates of the landfill entrance.
 - ◇ Nova Scotia Environment staff attended a roundtable discussion on December 12, 2009 facilitated by the Office of African Nova Scotian Affairs to discuss issues pertaining to the Concerned Citizens of Lincolnville and it was agreed that an information session on general water quality would be held. This session was completed on April 24, 2010.
 - ◇ The facility is currently in compliance with the existing approval; the proponents have taken additional steps outside of Nova Scotia Environment's regulatory requirements to address concerns (more testing, additional installation of monitoring wells). In addition, there is an established Community Liaison Committee that deals with ongoing concerns from residents

(November 5th email from Lori Skaine).

- ◊ The local community of Lincolnville is advised of activity at the landfill site through their membership on the Landfill Liaison Committee. Two Lincolnville residents are members of the Committee. The Municipality's web page provides updates on landfill activities.

Meeting with Sylvia Parris, Manager, African Nova Scotian Affairs Integration Office:

- Ms. Parris suggested that residents in Lincolnville write an “ask” letter to Nova Scotia Department of Environment requesting a meeting/consultation in their region to address residents’ concerns, share information and create transparency.
- She also suggested that the Office of African Nova Scotian Affairs partner with Nova Scotia Environment, Carolanne Wright-Parks (Greater Halifax Partnership), Sylvia Parris (African Nova Scotian Affairs Integration Office) and Anthony Riley (Halifax Regional Water Commission) to consult with residents about their concerns.

Meeting with Wayne Hamilton, Chief Executive Officer, Office of African Nova Scotian Affairs:

- Mr. Hamilton is interested in collaborating with Nova Scotia Environment to hold information sessions about environmental issues in African Nova Scotian communities.
- He is also interested in opening up communication lines between government and residents.
- The government is unable to re-direct waste from the second generation landfill unless the government conducts a feasibility study to determine which municipality could take the landfill site.
- The Lincolnville Environmental Group Society should consider appointing a new Liaison Officer or bringing another Liaison Officer into the dialogue about the concerns that residents have about the landfill site.
- The Office of African Nova Scotian Affairs is considering various approaches to create a dialogue between residents and the Liaison Officer.
- The Lincolnville Group Society should consider having a discussion about their concerns with Sheila Pelley, Councillor for African Nova Scotian residents in Sunnyville, Lincolnville and Upper Big Tracadie.
- Mr. Hamilton suggested that Nova Scotia Environment create a two-way conversation between the Municipality and the Lincolnville Environmental Group Society.
- He also suggested that Nova Scotia Environment conduct educational seminars about the nature of water and soil testing in a more consistent way.
- The Lincolnville Group Society may contact Town Council about testing the landfill for air quality and soil contamination.
- Residents may contact Stantech if they are interested in having independent testing conducted on air quality and soil.
- Mr. Hamilton suggested that the Town of Guysborough, which is the administrator of the landfill, hire a company/independent contractor to conduct water and soil testing.

NORTH PRESTON & EAST PRESTON

RESIDENTS' CONCERNS

- High rates of certain illnesses in the community, including cancer, diabetes, heart disease, asthma and skin problems;
- Water contamination, including arsenic in the wells;
- Waste dump near to the North Preston Community Center;
- Toxic waste from the North Preston dump running into the East Lake; and
- Proposed project to install wind turbines in the community;

RESIDENTS' RECOMMENDATIONS

- Mobilize residents around the removal of the waste disposal site near to the North Preston Community Center;
- Investigate government policies for monitoring and regulating environmental waste in the watershed;
- Identify the agency or individual responsible for monitoring environmental waste in the watershed;
- Support residents in their efforts to monitor environmental waste in the watershed in North Preston; and
- Hold a meeting that brings together residents and policy makers to discuss residents' concerns about the wind turbines project and waste disposal site near to the North Preston Community Center.

GOVERNMENT'S RESPONSE

Meeting with Cameron Deacoff, Environmental Performance Officer, Energy & Environment, Halifax Regional Municipality:

- Mr. Deacoff is aware of a sewage treatment facility on Winder Lake Road in North Preston, which is next to the former Preston C&D recycling facility, which was closed in 2003.
- Mr. Deacoff suggested that Barry Geddes be contacted about this issue since he is responsible for source water protection at Halifax Regional Water Commission and manages the Watershed Protection Area around North Preston.
- He also indicated that there are provincial regulations that strictly limit environmental waste to help protect the watershed of Lake Major and that Barry Geddes at Halifax Regional Water Commission can provide more information about these issues.
- Halifax Regional Municipality's Harbour East Marine Drive Community Council recently heard a presentation about a wind turbine application in the area; Halifax Regional Water Commission has proposed to build several wind turbines (up to seven) on its properties near Lake Major to help boost utility revenues. Two were approved as of spring 2012; the current status will be determined at a later date.
- Jeff Knapp, Manager of Energy Efficiency at Halifax Regional Water Commission, can be contacted for more information about the wind turbine project.

Phone Conversation with Barry Geddes, Watershed Manager, Halifax Regional Water Commission:

- The waste disposal site on Winder Lake Road was a recycling depot, which was closed down. Therefore, it is not a landfill site.
- The site is not within the jurisdiction of Halifax Regional Water Commission since it is outside the protected watershed boundary.

Email Communication from Peter Geddes, Nova Scotia Environment (November 5, 2014):

- There is a municipally operated (Halifax Water) sewage treatment facility next to the former Preston C&D site. The sewage treatment facility operates under an approval from Nova Scotia Environment and is operating within the requirements of its approval.
- Previous odor issues have been addressed to the satisfaction of Nova Scotia Environment. Any complaints about the treatment facility should be directed to Nova Scotia Environment and Halifax Water who are the operator of the facility.
- The former C&D site was under an approval from Nova Scotia Environment but was closed in 2003 (details below). Nova Scotia Environment is not responsible for cleaning up any material dumped on the site, however if anyone is aware of dumping occurring they can contact Nova Scotia Environment's Bedford office to make a report.
- The Department requires evidence to prosecute (explained below). There is sometimes the expectation that the Department will come to a site to clean it up. It is important to emphasize that the Department's role is to prosecute an offender when they have evidence, not to clean up a site.



The following information was sent by email to Peter Geddes from a staff member at Nova Scotia Environment's Bedford Office. Mr. Geddes forwarded the information to the author (November 5, 2014):

- Preston C&D closed in 2003 after the Municipality placed an injunction on the property. The owners were convicted for failing to abide by the conditions of the injunction. This injunction, which should still be in place, dealt with the site as a public safety hazard.
- Although Nova Scotia Environment dealt with the site for contravention of the Environment and Ministerial Order issued to control the manner of operating a recycling facility, the Department did not order the site closed. At the sentencing hearing the company agreed to close. The Department asked that the company and owner not be permitted to operate such a site anywhere in the province at any time.
- The principal regulator of the site is in fact HRM, having issued the operating permit for a "recycling facility" that permitted the company to exist and to operate in a manner in contravention of the Environment Act and regulations, hence the issuance of the Ministerial Order.
- The former recycling site was neither a sewage treatment plant nor under the operation of Preston C&D or any of its then owners. However a sewage treatment plant is sited next to the former recycling facility. Following the closure of Preston C&D the Municipality purchased a section of the former site in order to expand and improve on the sewage treatment plant design. The two sites are mutually exclusive.

- All the odors were as a result of the former sewage treatment plan, problems that have since been corrected with the new facility. There have never been any complaints with respect to odors associated with the former recycling facility.
- The Municipality approved the operation of a recycling facility previously and is responsible for any clean up.
- All of the complaints to date about dumping have been an unsubstantiated allegation of dumping at the former Preston C&D site. Nova Scotia Environment has advised all callers that they would interact with the Municipality or persons responsible where there is evidence identifying the release of litter or other material and the party responsible. The Department would not inspect on the basis of an assumption. All inquiries concerning the alleged dumping of material should be forwarded to the Bylaw Division of HRM. To date no one will come forward with first-hand information identifying any person involved in the release of litter.
- Nova Scotia Environment's inspector also indicated to a community member that he could conduct inspections regarding illegal dumping if the community member provides him with more information such as license plates from vehicles.

Phone Conversation with Jeff Knapp, Manager, Energy Efficiency, Halifax Regional Water Commission:

- Mr. Knapp stated that while there has been some discussion about installing small turbines close to North Preston, this project will likely not move forward due to the small size of these wind turbines.
- The community has been consulted about the proposed wind turbines project and the response has been positive. For example, Mr. Knapp participated in four community consultations hosted by the Lake Loon/Cherrybrook Development Association in 2011, 2012, 2013 and early 2014. He also participated in meetings with the Watershed Advisory Committee about the proposed project.
- Mr. Knapp also indicated that plans to install wind turbines in Lake Major (which has been approved) will have little impact on North Preston residents since the wind turbines will be more than two kilometers away from the area.
- He noted that studies examining the health effects of wind turbines are inconclusive since the data does not scientifically confirm or disprove a link between wind turbines and negative health outcomes.

Meeting with Sylvia Parris, Manager, African Nova Scotian Affairs Integration Office:

- Ms. Parris suggested that the Office of African Nova Scotian Affairs partner with Nova Scotia Environment, Carolanne Wright-Parks (Greater Halifax Partnership), Sylvia Parris (African Nova Scotian Affairs Integration Office) and Anthony Riley (Halifax Regional Water Commission) to consult with residents about their concerns.

Meeting with Wayne Hamilton, Chief Executive Officer, Office of African Nova Scotian Affairs:

- Mr. Hamilton is interested in collaborating with Nova Scotia Environment to hold information sessions about environmental issues in African Nova Scotian communities.
- He is also interested in opening up communication lines between government and residents.
- He suggested that Nova Scotia Environment conduct educational seminars in the region in a more consistent way.
- He also suggested that residents contact Stantech if they are interested in having independent testing conducted on air quality and soil.

HALIFAX REGIONAL MUNICIPALITY (HRM) & SURROUNDING AREAS

RESIDENTS' CONCERNS

- High rates of cancer and other illnesses in Mi'kmaw and African Nova Scotian communities;
- The government's failure to clean up arsenic in the water;
- The siting of the Nova Scotia Power plant in the Mi'kmaw community of Tuff's Cove on the Halifax Harbour (which was a traditional Mik'maw community that was destroyed with the Halifax Explosion), which is impacting the ecosystem of Halifax Harbour;
- The government's failure to respond to residents' concerns about its decision to use Hammonds Plains (a sub-community of Indian Brook) as a "mercury dump";
- The environmentally hazardous methods used by Nova Scotia Sand & Gravel to dig up and clean sand in Indian Brook. This method, which involves digging down to the level near to where the community's water table flows, has resulted in the water table flowing into their site. This has resulted in huge reservoirs of water the community can no longer use since the water supply comes from the water table;
- A waste disposal site near to the Millbrook First Nation community in Truro that is no longer used and is now covered up with trees;
- The waste disposal site in Goodwood; and
- Oil fumes from car mechanic businesses near to Creighton Street in the North End of Halifax.

RESIDENTS' RECOMMENDATIONS

- Respond to residents' concerns about the government's decision to use Hammonds Plains (a sub-community of Indian Brook) as a "mercury dump";
- Consider removing and/or re-directing waste disposal sites and other environmentally hazardous activities in Tuff's Cove, the Millbrook First Nation community in Truro, Hammonds Plains, Indian Brook, Goodwood and the North End; and
- Consult with residents and involve them in decision-making processes related to the siting of waste disposal sites and other environmentally hazardous activities in their communities.

PRIVATE SECTOR RESPONSE

Meeting with Terry Toner, Director of Environmental Services, Nova Scotia Power:

- Nova Scotia Power is unable to do anything about the siting of the Nova Scotia Power Plant in Tuff's Cove because they can't remove anything that has already been installed.
- Nova Scotia Power's Community Liaison Committee has been having positive discussions with representatives from the Millbrook Band (the First Nation community of Millbrook is near to the Plant) and with government about this issue.
- Nova Scotia Power has implemented a plan to run the Plant in a more environmentally friendly manner (e.g. using natural gas).

GOVERNMENT'S RESPONSE

Meeting with Peter Geddes, Director, Policy & Planning, Lorrie Roberts, Executive Director, Policy Division & Lori Skaine, Director, Regional Integration & Coordination, Compliance, Nova Scotia Environment:

- Nova Scotia Environment is unaware of a “mercury dump” in Hammonds Plains, however, residents who have concerns about this issue may contact Nova Scotia Environment.
- The recycling facility in Goodwood is not operated by Nova Scotia Environment. Rather it is being regulated by Nova Scotia Environment through an operating approval. Community members may contact Nova Scotia Environment with any concerns they have about the environmental effects of this facility.
- Nova Scotia Environment is not responsible for oil fumes from car mechanic businesses near to Creighton Street in the North End of Halifax. The owners of these businesses have full responsibility for this.
- Nova Scotia Sand & Gravel is not managed or operated by Nova Scotia Environment. Rather, it is operating under an approval from Nova Scotia Environment.

Meeting with Sandy Cameron, Environmental Health Officer, Environmental Public Health Program, First Nations and Inuit Health Branch:

- Mr. Cameron suggested that residents in Hammonds Plains who have concerns about mercury contact an Environmental Health Officer at the Inuit Health Branch.
- Nova Scotia Environment grants approval for Sand & Gravel to carry out their activities.

Meeting with Cameron Deacoff, Environmental Performance Officer, Energy & Environment, Halifax Regional Municipality:

- Nova Scotia Department of Natural Resources and Nova Scotia Department of Environment regulate activities carried out by Nova Scotia Sand and Gravel in Indian Brook.
- The “well project” carried out by the Atlantic PATH study at Dalhousie University examined arsenic in wells and found that it has serious health implications, including cancer.
- The province conducted a mapping project to determine risks of arsenic.
- There is a recycling facility in Goodwood which is legal and is being regulated by Nova Scotia Environment through an operating approval.

MEETING WITH NOVA SCOTIA DEPARTMENT OF HEALTH & WELLNESS

Meeting with Dr. Frank Atherton, Deputy Chief Medical Officer of Health, Nova Scotia Department of Health & Wellness

&

Meeting with Gary O'Toole, Director, Environmental Health, Nova Scotia Department of Health & Wellness

- Dr. Atherton and Mr. O'Toole are interested in having medical officers of health and environmental health consultants participate in community consultations in partnership with Nova Scotia Environment.
- Nova Scotia Department of Health & Wellness reviews environmental impact assessments to determine if there is likely to be health-related impacts.
- Dr. Atherton and Mr. O'Toole are interested in developing a partnership with ENRICH that involves information-sharing.

MEETING WITH MEGAN LESLIE (MP)

Meeting with Megan Leslie, MP

- Ms. Leslie indicated that she is able to support the ENRICH project by sharing information about ENRICH project activities (including planned events) via her facebook page, twitter and email newsletter.
- She can also reach out to government/policymakers about the issues and facilitate meetings between ENRICH team members, residents and government.
- Ms. Leslie mentioned that Linda Duncan, current MP in Edmonton and a former environmental lawyer, drafted the Environmental Bill of Rights a few years ago. Ms. Duncan is currently re-visiting the Bill with the intention of re-introducing it in the near future.
- Ms. Leslie discussed the federal Environmental Assessment Act, as well as her own interest in federal environmental assessments. She stated that while consultation can happen, opportunities to carry them out have diminished over the past few years.
- She would like to see an environmental racism lens incorporated into the Environmental Assessment Act.

REGULATING & MONITORING WASTE DISPOSAL SITES & OTHER ENVIRONMENTAL ACTIVITIES

- Activities regulated by Nova Scotia Environment are guided by the Environment Act, which has 26 sets of regulations that regulate various activities.
- While no one agency has responsibility for regulating and monitoring waste disposal sites and other activities in Nova Scotia, Nova Scotia Environment has the broadest power and is the ultimate regulator of the conditions of landfills, public wastewater treatment facilities, public water treatment facilities and environmental waste.
- Several government departments may be involved in an environmental site.
- HRM also has some regulatory powers regarding landfills and their operation, subject to approvals and permits from Nova Scotia Environment.
- Halifax Regional Water Commission owns and operates water and wastewater facilities, subject to permits and approvals from Nova Scotia Environment and, therefore, has some regulatory powers. Halifax Regional Water Commission responds to urgent matters related to these facilities when residents contact them.
- Lake Watershed Protection Area regulates the watershed. It also helps protect drinking water. It has the power to clean up dirty sites and remove contaminated areas.
- A letter dated April 30, 2014 that was received by the author of this report from Andrew Younger, Minister of Energy and Environment, states that the acceptable location of wind turbines is not determined by the Department of Energy, but rather by municipalities through planning and zoning decisions. These municipalities make such decisions in the best interests of the communities.

NOVA SCOTIA ENVIRONMENT PUBLIC CONSULTATION PROCESS

Nova Scotia Environment initiates public consultations in order to receive public feedback on three main issues:

- Development of changes to legislation and regulations, which may involve releasing a discussion paper and a press release and making recommendations to government;
- Plans or policies released by the Department (e.g. Plan to protect 13% of protected areas in the province); and
- Regulatory decisions for activities in the Province, which involves the following steps:
 - ◇ Community consultations conducted by a particular company.
It is important to state that Nova Scotia Environment does not dictate to companies how these consultations should be conducted.
 - ◇ Environmental assessment conducted by Nova Scotia Environment. The company is required to obtain an approval from Nova Scotia Environment to engage in a particular ***project or activity that has*** yet to be initiated and for which a mandatory public consultation is required.

During mandatory public consultations, members of the public are invited to provide written comments. Applications are posted at the beginning of the public comment period. When the Department receives an assessment, they post it on-line at the start of the public comment period. It is also made available in hard copy at local viewing places which can include libraries, municipal offices and other venues.

Nova Scotia Environment does not hold open houses or community consultations. The companies that implement a project are responsible for holding open houses or community consultations.

All consultations conducted by Nova Scotia Environment are general public consultations that are not aimed at any particular community group.

- While the Department is interested in holding information sessions and community consultations about their role and regulatory responsibilities that are aimed at specific community groups, they don't currently have the resources or capacity to do so.
- The Department is interested in identifying and implementing more diverse strategies for sharing information about its role and responsibilities related to the monitoring of waste disposal sites and other activities in more transparent and accessible ways.

FOLLOW-UP TO GOVERNMENT CONSULTATIONS

Follow-up to government consultations will include the following:

- The ENRICH team will provide Nova Scotia Environment with suggestions for how the Department can consult more effectively with African Nova Scotian and Mi'kmaw communities and share information in more diverse, transparent and accessible ways.
- Nova Scotia Environment will review the Bunker Report and determine next steps for sharing findings with interested parties (e.g. James Desmond, member of the Lincolnville Environmental Group Society).

APPENDICES

APPENDIX A: NOVA SCOTIA ENVIRONMENT WORKFORCE PLAN

COMPLIANCE DIVISION

The Compliance Division is responsible for the majority of field operations related to environmental protection. To protect the environment and effectively manage natural resource use, this division responds to requests for environmental assistance, approvals and investigations through its regional and district office network across the province.

Regional Integration, Operations & Compliance Branch

The addition of a Regional Integration, Operations and Compliance branch advances compliance and protection efforts by ensuring the effective and consistent implementation of all operation and compliance services and activities. The branch is led by a new director position that reports to the executive director of the Compliance division and is the primary contact for most operations that apply to the division. The director is also accountable for the development, direction, coordination and evaluation of an integrated regional operational planning and compliance function (e.g. effect of new Environment Act changes, departmental program/policy changes, corporate policy changes). Compliance and Inspection Coordinators in the regions have been moved structurally into this new branch to provide more consistent compliance and regulatory delivery but will be regionally located.

SCIENCE DIVISION

Driven by scientific and technical evidence, the Science division provides subject matter expertise, advice and program management support. It is also responsible for developing training programs for field staff. The Science division works with staff across all regions and divisions to develop policy and regulatory management tools that ensure intended environmental outcomes are met.

Drinking Water Management Unit

Nova Scotia Environment is the lead government agency in Nova Scotia responsible for protecting the province's drinking water and water resources. As good, clean and abundant water is essential for public health, it is also critical for helping communities and ecosystems thrive.

This unit focuses on the management of drinking water, and is responsible for source water protection in Nova Scotia, for establishing new drinking water standards, protocols, operational bulletins, and for providing advice and training to operational and program delivery staff. The establishment of new standards, review of existing standards and other regulatory management tools are informed and shaped by information gathered through existing data collection systems, continued involvement with national drinking water initiatives and a continuous improvement lens.

Water Resources Management Unit

The Water Resources Management unit is charged with protecting Nova Scotia's surface and groundwater resources. Working closely with the Drinking Water Management unit, this unit is responsible for understanding the science of our water resources, including the collection of surface water and groundwater data through our existing network of monitoring systems, and uses this data to monitor trends and make informed decisions on new standards and policies. The unit also provides expert advice and develops training programs for operational and compliance staff, and is home to GIS specialists and the Environmental Home Assessment Program. Under this latter program, staff provide Nova Scotians with information about the importance of regular well water quality testing, pumping of septic systems and maintenance of domestic oil tanks, through home assessments.

Industrial Management Unit

The Industrial Management unit is new within the division. It focuses on the development of various regulatory management tools such as regulations, standards, guidelines and policies that support the effective management of the many industry-related programs and activities, including wastewater, that fall under the Environment Act and associated regulations. Specifically, the unit is responsible for effectively managing the environmental regulation of larger industrial development activities, such as those associated with Nova Scotia Power and Michelin Canada. It is designed to provide a superior level of consistency for our clients. A key component of this work is done in partnership with the department's operational and compliance arm.

SUSTAINABILITY & INNOVATION DIVISION

The new Sustainability and Innovation division integrates the work of the department on climate change, air emissions, contaminated sites, solid waste and the protection of valuable land. It brings together Air Quality, Resource Management and Protected Areas programs and staff from the former Environmental Program and Science Management division with former Climate Change Directorate (CCD) staff to focus on the long-term environmental and economic stability of the province and promotion of innovative and creative approaches to enable sustainable development.

This division creates a cohesive approach to GHG and air pollutant policy development, recognizes the value of the ecosystem protection and continues to deliver on the province's Protected Areas commitment. It supports a department culture of stakeholder engagement and positive cross-department/intergovernmental relationships.

Air Quality, Climate Change and Resource Management Branch

The Air Quality, Climate Change and Resource Management Branch focuses activities on reducing the sources and effects of global climate change and help to protect Nova Scotians from the harmful effects of air, land and water pollutants. This branch provides support to operations including consultation on specific issues or initiatives, developing approval terms and conditions, and providing information and advice on issues that may be of concerns to the regional offices.

Protected Areas and Ecosystems Branch

The Protected Areas and Ecosystems branch is responsible for planning and managing Nova Scotia's wilderness areas, nature reserves and heritage rivers, and for encouraging and supporting private land conservation. The branch provides programs to ensure biological diversity and ecosystems remain available for the recreation, social and economic benefit of Nova Scotians.

POLICY DIVISION

The Policy division is responsible for building capacity for policy and planning functions of the department, ensuring effective business operations and managing the environmental assessment program.

Policy and Planning Branch

The Policy and Planning branch supports the analysis, development and evaluation of effective policy. It leads legislative and regulatory reform initiatives within the department. The branch provides the coordination necessary to: identify and report on departmental priorities, engage with other departments on corporate strategies and initiatives, advance departmental priorities within the government, and support informed decision making. It also coordinates departmental participation in a range of intergovernmental forums.

Information and Business Services Branch

The Information and Business Services branch supports operations in four key areas: information management, information technology, safety and training. The branch is responsible for the development and implementation of the information management systems strategy, promoting a safety 1st culture within the

department, coordination and support of training opportunities for all staff, and for information management programs including information access and privacy, records management, research and business services.

Environmental Assessment Branch

The Environmental Assessment branch administers the environmental assessment regulations by evaluating the potential environmental effects of major development projects. The branch promotes good project planning, ensuring that environmental effects are identified and addressed at the earliest stages of project development. The process includes input from the public, stakeholders and government experts from within and outside the department.



APPENDICES

APPENDIX B: INDEPENDENT WATER & SOIL TESTING COMPANIES

Independent soil and water testing can be conducted by the following organizations:

Unimake Institute Natural Resources: Eskasoni and Membertou: Sampling in Morris Beach and Grand Narrows

Atlantic Coastal Action Program (ACAP): Cape Breton

Tusket River Environmental Protection Association: Yarmouth

South River at St. Andrews (Environment Canada): Lincolnville: There are no companies that conduct independent soil and water testing in Lincolnville. This agency is one of the nearest agencies to Lincolnville that is conducting soil and water testing.

Pomquet Beaches in Northumberland (Nature Conservancy): Lincolnville: There are no companies that conduct independent soil and water testing in Lincolnville. This agency is one of the nearest agencies to Lincolnville that is conducting soil and water testing.

Clean Nova Scotia: HRM & North Preston: Lake Major, Morris Lake, Cow Bay and Cole Harbour

Oat Hill Lake Conservation Society: Dartmouth

Community-Based Environmental Monitoring Network, Saint Mary's University:

Email: environmental.network@smu.ca
<http://cbemn.ca/>

Nova Scotia Community College Environmental Engineering Technology Program (Waterfront Dartmouth Campus): http://www.nsc.ca/learning_programs/programs/PlanDescr.aspx?prg=EVTG&pln=ENVIROTECH

Robert Rains, Owner, Sampletech:

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Shalom Mandaville, Coordinator, Soil & Water Conservation Society of Metro Halifax:

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<http://www.chebucto.ns.ca/ccn/info/Science/SWCS/index.html>
<http://www.chebucto.ns.ca/~limnes/>
<http://lakes.chebucto.org/DATA/protocols.html>

Halifax Garden Network:

<http://halifaxgardennetwork.wordpress.com/2012/02/21/practicing-safer-soil-love-in-the-garden/>

APPENDICES

APPENDIX C: KEY GOVERNMENT CONTACTS

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APPENDICES

APPENDIX D: RELEVANT WEBSITES:

NOVA SCOTIA DEPARTMENT OF ENVIRONMENT

www.gov.ns.ca/nse

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT CANADA, ATLANTIC REGIONAL OFFICE

<http://www.aadnc-aandc.gc.ca/eng/1100100019243/1100100019244>

HALIFAX REGIONAL WATER COMMISSION

<http://www.halifax.ca/hrwc/>

FIRST NATIONS ENVIRONMENTAL CONTAMINANTS PROGRAM

<http://www.fnha.ca/about/news-and-events/news/call-for-proposals-first-nations-environmental-contaminants-program>

HEALTH CANADA: WIND TURBINE NOISE AND HEALTH STUDY:

http://www.hc-sc.gc.ca/ewh-semt/consult/_2013/wind_turbine-eoliennes/comments_part1-commentaires_partie1-eng.php

http://www.hc-sc.gc.ca/ewh-semt/consult/_2013/wind_turbine-eoliennes/research_recherche-eng.php

LAKE MAJOR WATERSHED

<http://www.halifax.ca/hrwc/LakeMajorWatershed.php#LakeMajorBoard>

LAKE MAJOR WATERSHED PROTECTED WATER AREA DESIGNATION

<http://www.novascotia.ca/just/regulations/regs/envpwimd.htm>

THE NOVA SCOTIA COMMUNITY FEED-IN TARIFF (COMFIT) PROGRAM

<http://energy.novascotia.ca/renewables/programs-and-projects/comfit>

COMFIT TOOL KIT

<http://energy.novascotia.ca/renewables/programs-and-projects/comfit/comfit-tool-kit>

REGULATION OF WIND ENERGY PROJECTS

<http://energy.novascotia.ca/sites/default/files/Wind%20regulations.pdf>

REGIONAL MUNICIPAL PLANNING STRATEGY AMENDMENT FOR WIND ENERGY <http://www.halifax.ca/regionalplanning/HRMWindEnergy.php>

REGIONAL MUNICIPAL PLANNING STRATEGY (see page 39, chapter 2.5.3 for information on Wind Energy)

<http://www.halifax.ca/regionalplanning/documents/Jan14DraftRMPSclean.pdf>

WIND ENERGY IN NOVA SCOTIA

<http://energy.novascotia.ca/renewables/wind-energy>

WIND TURBINE EFFECTS

<http://energy.novascotia.ca/sites/default/files/Wind%20Turbine%20Effects.pdf>

PRESTON C& D RECYCLING

<http://www.novascotia.ca/just/regulations/rg2/2002/mr0802.pdf>

CBC NEWS ARTICLE ON PRESTON C & D RECYCLING (February 19, 2003): "Recycling biz denies breaking environment laws":

<http://www.cbc.ca/news/canada/nova-scotia/recycling-biz-denies-breaking-environment-laws-1.386452>

CBC NEWS ARTICLE ON NORTH PRESTON WASTE DUMP (September 9, 2009): "HRM to appeal sewage stench compensation ruling":

<http://www.cbc.ca/news/canada/nova-scotia/hrm-to-appeal-sewage-stench-compensation-ruling-1.857328>

HRM LAND USE BY-LAW FOR NORTH PRESTON, LAKE MAJOR, LAKE LOON, CHERRY BROOK, EAST PRESTON (see item 2.12D on page 9) https://www.halifax.ca/planning/documents/NorthPrestonLakeMajorLakeLoonCherryBrookEastPreston_LUB.pdf

ATLANTIC PATH STUDY

<http://atlanticpath.ca/>

BILL C-469: ACT TO ESTABLISH A CANADIAN ENVIRONMENTAL BILL OF RIGHTS

http://www.parl.gc.ca/HousePublications/Publication.aspx?Pub=Bill&Doc=C-469_1&Language=&Mode=1&Parl=40&Ses=2&File=29#1

CANADIAN ENVIRONMENTAL BILL OF RIGHTS

<http://www.sierraclub.ca/en/node/3536>

CANADIAN COAST GUARD ENVIRONMENTAL RESPONSE

http://www.ccg-gcc.gc.ca/eng/Ccg/er_Reporting_Incident

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