

Port Colborne Quarry Virtual Open House

Questions and Answers

#	Question	Answer
1	Were the Peer reviewers provided with the comments submitted to the Provincial agencies in response to the ERO posting?	No. Comments submitted to the Province on the Aggregate Resources Act application would need to be resubmitted to the City and Region if the commenter wants them considered as part of the Planning Act process.
2	David Schulz Have you had consultation with the Province with regards to this OP amendment and the protection of the HWY #3/Main Street corridor as required by ROP Amendment 6 Policy 9.D.13?	Yes. The City has met with the Ministry of Transportation relative to the Provincial Highway 3. The MTO will be formally circulated and have an opportunity to provide formal comments on the application, once the revised submitted is received from the applicant.
4	Golder Associates Inc. in July of 2020 identified ten sites of “cultural heritage value or interest” within the quarry. Do any of these sites involve burial sites or First Nation entities?	The Archaeological Assessments did not identify any burial sites within the proposed quarry expansions lands. Eight of the ten sites with further cultural heritage value or interest are indigenous and euro-Canadian lithic scatters, and two are multi-component collections with a mix of indigenous, euro-Canadian, 20th century and faunal artifacts.

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5	<p>Britney Fricke</p> <p>Can you provide an explanation from a Regional perspective of how reducing the setback by 60 meters is protecting the established transportation corridor of HWY #3/Main Street and is consistent with the PPS 2020 and ROPA 6?</p>	<p>Regional staff have not determined whether the application is consistent with the PPS or ROP at this point in the process.</p>
6	<p>How many participants are in this meeting?</p>	<p>30 people attended the Open House.</p>
7	<p>Will there be a video copy of this meeting available for the registered attendees?</p>	<p>Due to technical issues with Zoom, a video copy of the meeting is not available.</p>
8	<p>At what point does the full environmental assessment take place on this application? And will it include the effect on the aquifer which comes from the Cdn. shield and travels to Pennsylvania? Considering the international impact, what other agencies should be aware?</p>	<p>A number of technical studies were submitted with the application, including a Hydrogeological Assessment/Water Resource Study, Natural Environment Report and Environmental Site Assessment/Soil Management Plan. The Province will be formally circulated the Planning Act applications upon receipt of revised submission that addresses Regional, City and NPCA comments.</p>

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9	<p>What is the owners plan if they hit any water supply (well water) reducing or loosing water supply to the surrounding residents who have well water supply to their property? Same question to what the owners plan is still with "filling in" the other quarries adjacent to this new amendment?</p>	<p>As a proactive measure, the Site Plans will require PCQ Inc. (Licensee) to undertake ongoing monitoring of six (6) groundwater wells on the periphery of the subject lands, these are referred to as 'sentry wells'. Because the data from these wells are always being monitored, PCQ has constant data related to overall groundwater level status surrounding the site. In the unlikely situation where a decrease was to begin to occur on-site (in advance of an off-site issue), the necessary and appropriate triggers would be immediately employed. However, if well interference was identified at an isolated or cluster of neighbouring well, Sheet 5 of 9 of the Site Plans, under Hydrogeological Study, provides the information on the Private Well Complaints Response Program and Potential Mitigation Options.</p> <p>The approved ARA Site Plans for PCQ Inc. Pit 2 and 3 (ARA License 4444) specify that the subject lands are to be rehabilitated to a passive lake, therefore, the subject lands, (adjacent quarries) will be "filling in" with water. At this juncture, PCQ Inc. is working towards preparing the lands to meet this rehabilitation requirement.</p>
10	<p>You have asked to drill well below the water level. Self monitoring is not satisfactory. Will there be a federal government agency involved to monitor any contamination to the aquifer?</p>	<p>The Province and conservation authority(ies) collect and manage baseline groundwater level and quality from aquifers across Ontario. Data is collected through the Provincial Groundwater Monitoring Network and available through Open Data.</p>

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11	<p>Will changes to the the submissions resulting from reviews by the various agencies and public meetings be identified such that they will be easily observable to the public so they do not have to compare original submissions to those revised?</p>	<p>Yes. Updated submissions will be posted on the project page at https://portcolbornequarries.ca/ and the revisions will be easy to distinguish.</p>
12	<p>I live very close to the third pit. Why has seismic activity monitoring halted? Who has access to this monitored activity? In past the sensors have been placed during blasts at the corner of Babion and Highway #3. This monitoring seems to have been removed. Please explain why. How are we protected to blasts that could potentially cause property damage.</p>	<p>The PCQ Inc. Pit 3 is always being monitored for vibration, (seismic activity) to record possible impacts from the on-going blasting activity. The equipment is occasionally relocated to best capture on-going blasting within the quarry.</p> <p>PCQ Inc. and their blasting contractor retains the monitored data and it is always available to MECP upon their request.</p> <p>The monitored data compiled over the past many years confirms that PCQ Inc. has and continues to operate in compliance with MECP thresholds. Furthermore, as part of the agency review, the 3rd party peer review consultant retained by Niagara Region has requested a 'Flyrock Assessment' which we anticipate would address this issue.</p>

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13	<p>The unlicensed Pit 1 will be used for the processing of the blasted rock from Pit 3 which includes the crushing, screening, washing and storage of the blasted rock. They are no mitigation measures currently implemented at Pit 1 to protect the surrounding neighbourhood. No protection from the increase in noise, dust and contamination of the aquifer. If the expansion of pit 3 is approved, who and where does the accountability surrounding the continued use of Pit 1 fall under as it is an unlicensed pit.</p>	<p>Thank you for your feedback. The proposed application is for an expansion to Pit 3 and does not pertain to the Pit 1 lands. Discharges, including noise and air, are monitored and regulated by the Ministry of Environment, Conservation and Parks, and complaints can be filed through the Ministry. The PPS includes policies that require progressive and final rehabilitation and encourage comprehensive rehabilitation. These policies will need to be addressed through the application process.</p>
14	<p>It good to hear that Pits 2 and 3 will only be filled with water once the quarry is retired, but what about the future filling of Pit 1? How is the acquirer below Pit one to be protected from backfill which includes industrial waste?</p>	<p>Thank you for your feedback. The proposed application is for an expansion to Pit 3 and does not pertain to the Pit 1 lands</p>

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15	It has been stated that the pumps will be turned off when Pit 2 & 3 are fully mined out. What are the rehab plans for Pit #1 that has been mined out many years ago and that had been mined 8 meters into the aquifer?	The proposed application is for an expansion to Pit 3 and does not pertain to the Pit 1 lands. Pit 1 never has been licensed under the Aggregate Resources Act (nor its' predecessor the Pits and Quarries Control Act), and as such, no rehabilitation plan has ever been prepared nor required. The lands are properly zoned (City of Port Colborne Zoning By-law: Mineral Aggregate Operation – MAO) to permit the existing activities including aggregate processing. A portion of the lands are also zoned MOA-38-H permitting a concrete manufacturing plant subject to a (H) Holding provision requiring a Site Plan Agreement. Furthermore, because a portion of the site is designated as Environmental Protection (pertaining to an identified Area of Natural or Scientific Interest [ANSI] - geological formation), the only means to ensure it remains visible, is to continue to dewater the site.
16	Are the impact reports submitted publically available?	Current Operation (Pit 2 and Pit 3) Ongoing monitoring undertaken for the existing Pit 2 and Pit 3 includes blasting, groundwater pumping rates and surface water discharge. The former is available to MECP upon their request and the latter two are part of an annual report submitted to MECP by PCQ Inc. PCQ Inc. is unaware if MECP makes any of that information available to the public.

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17	<p>With the answer by David Sisco to the final rehabilitation, he was evasive with the answer "at this juncture". This is of great concern. The answer also only addressed Pit 2 and Pit 3 when the haulage road is no longer needed. Is the filling of Pit 1 "still on the table"? And, what is the schedule for relinquishing the licence for Pit 2 and Pit 1?</p>	<p>PCQ Inc. continues to work towards preparing the Pit 2 and 3 lands to meet the existing ARA Site Plan rehabilitation requirements. However, Section 13 (2) of the Aggregate Resources Act (ARA) provides all Licensee's the ability to request a Site Plan Amendment to an existing licensed pit or quarry. Therefore, the Act allows PCQ Inc. to request an Amendment (subject to meeting whatever justification requirements that MNDNRF deems necessary) and therefore, PCQ Inc. is not prepared to be have future corporate decisions fettered regarding their Pits 2 and 3.</p> <p>The timing to surrender Pit 2 will necessitate the rehabilitation being completed, but also the closure of the internal haul road wherein aggregate from Pit 3 and Pit 3 Extension will continue to be hauled to Pit 1 for processing. Once this occurs, the dewatering pumps will be removed and the subject lands allowed to fill with water. This is anticipated to happen within 12-15 years.</p>
18	<p>The dust from Pit 1 is choking thick! The MOE and MNR have been notified but why is the quarry allowing this?</p>	<p>The proposed application is for an expansion to Pit 3 and does not pertain to the Pit 1 lands</p>
19	<p>Currently we have a problem with ther dust from the crushing at the north side of Pit 2 This haas been going on for some weeks and continues with no single of resolution.</p>	<p>Thank you for your feedback.</p>

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20	What permit does PCQ have for and additional production facility on the floor of Pit 1 once the crushing and processing of aggregate is moved to Pit 3?	The existing uses in Pit 1 are permitted by the Zoning By-law. Future uses must be permitted by the existing Zoning By-law, or an application to amend the Zoning By-law would be required.
21	Are any impact reports submitted to the Ministry re impact asesements for current or proposed projects pubically available, and if so, how can they be accessed?	Current Operation (Pit 2 and Pit 3) Ongoing monitoring undertaken for the existing Pit 2 and Pit 3 includes blasting, groundwater pumping rates and surface water discharge. The former is available to MECP upon their request and the latter two are part of an annual report submitted to MECP by PCQ Inc. PCQ Inc. is unaware if MECP makes any of that information available to the public.
22	how far can they blast from a residence since they want to change from 90 to 30	The proposed setback of 30m is from the Highway 3 right-of-way, not from residences. The proposed limit of extraction is shown on the site plans posted on the project webpage at https://portcolbornequarries.ca/ . The Site Plans for the Pit 3 Extension confirm that the proximity of blasting to a nearby residence is subject to on-going monitoring.
23	is there no concern for the large amount of agriculture crop land being lost here	Yes. An Agricultural Impact Assessment was submitted with the application to evaluate the impact to agriculture.
24	What authority does the Region and City have to enforce conditions once the zoning is approved?	If the application is approved, conditions would be included in the Aggregate Resources Act license and enforced by the Ministry.

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25	<p>Lack of resolution to on going problems demonstrates that the current self monitoring by PCQ is ineffective.</p> <p>What will be done to rectify this if the expansion is granted.</p>	<p>If the application is approved, the quarry is obligated to report to the Ministry on compliance with the licensing requirements on an annual basis. Complaints of non-compliance with licensing requirements can be filing with the Ministry.</p>
26	<p>With the previous licence in 1982, the City and Region recommended conditions for licencing. The City and the quarry also entered into a Site Plan Agreement which was referenced in the licence. This was subsequently removed as it was not enforceable by MNR. How can these conditions be enforced?</p>	<p>The proposed application is for an expansion to Pit 3 and does not pertain to the Pit 1 lands.</p>
27	<p>I think my question speaks to the “self monitoring” and quality thereof, of the quarry. i think if the quarry chooses to not care about the dust coating nearby homes, it speaks to what we may expect in the future</p>	<p>Thank you for your feedback.</p>

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28	What impact will this expansion have on Humberstone Speedway, years to come?	The proposed expansion lands include the Humberstone Speedway property. If approved and the license granted, operation of the speedway would cease in accordance with the phasing plan.
29	what is the timeline for phase two to move processing out of pit 1 ?	This is anticipated to occur within the first several years of production within the Pit 3 Extension. No definitive date is possible due to numerous operational variables, some which include; market conditions for the aggregate, permitting and construction of a hydro substation to accommodate extending Phase 3 power, construction of Phase 3 power from Pit 1 through Pit 2 to Pit 3, MNDNRF (IARS) approval of a Site Plan Amendment for the siting of the new plant facility within License 4444, purchasing of new crushing / screening equipment, assembly of the new plant, MECP permits for the operation of the new plant, constructing wash ponds within Pit 3, design / approval and construction of the Highway 3 entrance.
30	The proposed by-law and official plan amendment expansion of pit 3 has a direct impact on the continued use of pit 1, so how is that not relevant to this meeting?	The proposed application is for an expansion to Pit 3 and does not pertain to the Pit 1 lands.
31	there is great concern regarding contamination at the speedway site and how will this be removed and where will this soil be relocated to ?	An Environmental Site Assessment and Soil Management Plan was submitted with the applications to address contamination from the speedway. If the application is approved, additional environmental work and possible remediation will be required before the soils are disturbed.

#	Question	Answer
32	<p>it is frustrating to repeatedly hear that Pit 1 is not licensed and not under the ARA; however, the aquifer under Pit 1 is an interconnected ecosystem and cannot be ignored; how can risk occur at Pit 1 but not be considered for rehabilitation. Who is now the authority that will deal with the rehabilitation of Pit 1?</p>	<p>The proposed application is for an expansion to Pit 3 and does not pertain to the Pit 1 lands. Pit 1 never has been licensed under the Aggregate Resources Act (nor its' predecessor the Pits and Quarries Control Act), and as such, no rehabilitation plan has ever been prepared nor required. The lands are properly zoned (City of Port Colborne Zoning By-law: Mineral Aggregate Operation – MAO) to permit the existing activities including aggregate processing. A portion of the lands are also zoned MOA-38-H permitting a concrete manufacturing plant subject to a (H) Holding provision requiring a Site Plan Agreement. Furthermore, because a portion of the site is designated as Environmental Protection (pertaining to an identified Area of Natural or Scientific Interest [ANSI] - geological formation), the only means to ensure it remains visible, is to continue to dewater the site.</p>
33	<p>Robert is referencing a Public Liaison Committee to work and ask of JART members for information. So, will there not be a PLC put in place and is the expectation that random people can ask questions rather than a representative PLC group who could communicate directly.</p>	<p>The City Clerk has advised that information regarding the PLC will be announced very shortly. The PLC will be able to provide their comments to Council in one direct channel.</p>

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34	With the emphasis on reducing environmental footprint, and the reduction of greenhouse gases, the elimination of haulage from Pit 3 to Pit 1 will contribute greatly by 2 km of haulage in both directions, including grade crossings at each of Snider and Babion Road. Is this not a significant reason to move processing to Pit 3 ASAP?	Pit 3 is not yet fully extracted. The proposal does involve the relocation of processing in the future.
35	Comment: The timeline to move processing from Pit 1 to Pit 3 should be "set in stone"!	Thank you for your feedback.

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36	Does the planning committee have an anonymous email distribution list which can push updates to interested parties? If not, what is the process for interested parties to keep updated with any developments, and where should interested parties look to keep themselves updated with efficiency.	All future Notices will be posted on the Region's website at https://niagararegion.ca/news/notices/ . Notice of the Application is posted at https://niagararegion.ca/news/notices/notice.aspx?q=544 . You can also email Britney Fricke or David Schulz to be added to the distribution list for future updates. Britney Fricke, MCIP, RPP Senior Planner Niagara Region 905-980-6000 ext. 3432 britney.fricke@niagararegion.ca File Number: ROPA-21-0001 David Schulz Planner City of Port Colborne 905-835-2900 ext. 202 david.schulz@portcolborne.ca File Numbers: D09-02-21 and D14-09-21
37	Is Pit 2 being rehabilitated in preparation for a passive lake?	The proposed application is for an expansion to Pit 3 and does not pertain to the Pit 2 lands. The timing to surrender Pit 2 will necessitate the rehabilitation being completed, but also the closure of the internal haul road wherein aggregate from Pit 3 and Pit 3 Extension will continue to be hauled to Pit 1 for processing. Once this occurs, the dewatering pumps will be removed and the subject lands allowed to fill with water. This is anticipated to happen within 12-15 years.

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38	As a continuation of the last question. Will the berm be raised or wall installed around pit 3 to cancel out the production noise to the immediate neighbours of pit 3.	Yes, berming around the expansion lands is proposed.
39	How often does JART meet and does JART compete reports or summaries that are made public so that persons can keep abreast of the inquiries and concerns brought forth by JART and whether or not the expectations asked by JART are being met or ignored?	JART is an internal staff review team, and not a public committee. One final technical report will be prepared by JART, for use by the individual governments and agencies. JART does not make recommendations on the applications.
40	Regarding the berms - the City officially recognized the noxious weeds on the berms, years ago, yet the quarry does nothing. Will something be done to correct this with the expansion? Will the berms be brought up to standard?	This is a property standard issue regulated by the City's Property Standards By-law. The By-law requires that "every yard, include vacant lots, shall be kept clean and free from, amongst other things, long grass, brush, undergrowth and noxious weeds as defined by the Weed Control Act." Complaints can be filed with the City.

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41	If i am already having serious problems with the blasting now with no concern from the quarry . how am i suppose to protect my place when it comes closer.	The monitored data compiled over the past many years confirms that PCQ Inc. has and continues to operate in compliance with MECP thresholds. Furthermore, as part of the agency review, the 3rd party peer review consultant retained by Niagara Region has requested a 'Flyrock Assessment' which we anticipate would address this issue.
42	The application suggests a relocation of the Municipal Drain to the north behind the Miller Road homes. This was identified at an earlier meeting, and it was mentioned that this was being relocated by the City of Port Colborne. Should this not fall under the Drainage Act?	Yes, the relocation of the municipal drain does fall under the Drainage Act.
43	Who pays for the moving of the drain?	Costs associated with moving the drain are determined by the Engineering preparing the Drainage Report. Port Colborne Quarries will bear most if not all of the costs associated with the drain relocation.
44	Should the quarry not pay for the drain?	See answer above.

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45	<p>So is Sean saying that recommendations and reports will (ie. peer reviews) will not be made available until a final report is completed ? Are you saying that the JART process is working in silos and not as a committee until a final report is submitted? what I am asking is there actual meetings that are documented and produced by JART?</p>	<p>The JART is a review team comprised of staff from the Region, City and NPCA. The purpose of the JART is to share information, resources and expertise so that staff are not working in silos. The JART provides a coordinated technical review and engagement/consultation.</p>
46	<p>Why should we trust the applicant to honor its promise to return Pits 2 and 3 to a natural state when the applicant did not honor a promise in the 1980s to return Pit one to us as a water park?</p>	<p>The proposed application is for an expansion to Pit 3 and does not pertain to the existing pits or those lands.</p>
47	<p>What is the definition of "scrap" in item 11 of the site notes?</p>	<p>Scrap materials is generally material generated from within the active quarry operations such as used screens from the Screen Plan.</p>
48	<p>What is the current position by reviewers on the setback from the wetlands and woodlands?</p>	<p>Regional staff have not determined our position on the setback from the environmental features. Additional information is required to be submitted by the applicant before we can determine whether policy requirements have been met.</p>

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49	Where is the designated area for the scrap before it is moved?	Site Plan Note 11 specifies that no scrap will be stored on the site. Because the processing will be occurring with Pit 3, any generated scrap will be located within 3.