



Memphremagog
Conservation inc.

Magog, November 24th, 2021

Presented to:

Vermont Agency of Natural Resources
Department of Environmental Conservation
Watershed Management Division

Memorandum concerning the Draft Pretreatment Discharge Permit No 3-1406

Memphremagog Conservation Inc. (MCI) is a not-for-profit organization based in Magog, Quebec, that has been working since 1967 to protect the health of the waters and watershed of Lake Memphremagog, a reservoir of drinking water for more than 175,000 Canadians.

MCI has been closely following the Coventry land site developments for decades and expressed on several occasions their strong opposition to the expansion of this NEWSVT's solid waste disposal plant and to the disposal of landfill leachate at the Newport wastewater treatment facility (WWTF) or anywhere in the Memphremagog Watershed^{1, 2, 3}.

MCI is now raising concerns from the draft pretreatment discharge permit released on September 20th, 2021:

Maximum day discharge limit at the City of Montpelier WWTF

Since July 2019, a Secretary's Act 250 decision specifically prohibits the discharge of landfill leachate to the Newport City WWTF until "new science, new technology and/or or new data which demonstrates, or seeks to demonstrate, that the risk to the Lake Memphremagog water quality (drinking water supply) will not be unduly adverse."⁴

¹ MCI, 2011. Le MCI s'oppose fermement à l'agrandissement du site d'enfouissement de Coventry (Phase V). Communiqué.

https://vite.memphremagog.org/files/userfiles/files/Centre_de_documents/FR/2011-02-02-communique-de-presse-Coventry.PDF

² MCI, 2018. Letter to the Vermont Department of Environmental Conservation about Phase VI.

³ MCI, 2018. *Canadian Non-Government Persons and Entities Response to the Solid Waste Management Facility Certification OL510 SJ91-0001*. <https://vite.memphremagog.org/files/en/2018-12-20%20Letter%20-%20Canadian%20NGO%20response%20to%20the%20Solid%20Waste%20Facility%20Certification.pdf>

⁴ Act 250, 2019. Pursuant to Case No: 7R0841-13

Therefore, the draft pretreatment permit does not authorize a leachate discharge to the Newport City WWTF in accordance with that Act 250 decision. Only the City of Montpelier WWTF would have the authorization to receive NEWSVT leachate and also the leachate from the North Country Environmental Services (NCES), New-Hampshire, and from the Central Vermont (CV) Landfill. However, the draft permit proposes a maximum day discharge limit of 60,000 gpd to the City of Montpelier WWTF, when the NEWSVT leachate flows alone are 60,000 gallons per day and are anticipated to increase to 100,000 gallons per day (gpd) following completion of Phase VI expansion, authorized in 2018.

Therefore, one of our concerns is where the leachate from these three landfills will be discharged when the limit of 60,000 gpd will be reached in the City of Montpelier WWTF. Even if the Agency of Natural Resources of Vermont (ANR) committed themselves to maintaining a moratorium on the treatment of leachate at the Newport City WWTF until 2026⁵, MCI is concerned that the leachate could be treated elsewhere else in the Memphremagog Watershed. In the permit, it would be important to describe the future scenarios when the limit of 60,000 gpd will be reached in the City of Montpelier WWTF to guarantee that the Newport City WWTF or anywhere in the Lake Memphremagog Watershed, would not be a future potential scenario.

Leachate Treatment Pilot Study

As explained in the draft pretreatment permit, by no later than four months following the effective date of this permit, New England Waste Services of Vermont Inc. (NEWSVT) shall submit a Leachate Treatment Pilot Study Plan (Plan) to select and pilot leachate treatment or pretreatment technologies to remove PFAS and provide the concurrent removal of other pollutants from the leachate of the three landfills. No later than one year following the effective date of this permit, the company shall have the leachate treatment and/or pretreatment technology(s) installed and begin the pilot study. Finally, by no later than three years following the effective date of this permit, the company shall complete the pilot study and submit a Final Report approved by a Professional Engineer.

We are concerned that, in four months, the Plan could realow treatment at the Newport City WWTF, or anywhere in the Memphremagog Watershed, to “seek to demonstrate that the risk to the Lake Memphremagog water quality (drinking water supply) will not be unduly adverse”. We are also concerned that, by no longer than three years, the Final Report could realow treatment at the Newport City WWTF, or anywhere in the Memphremagog Watershed.

Given the importance of Lake Memphremagog as a drinking water reservoir, we believe that the precautionary principle must be applied and that no pilot study or no

⁵ August 24th, 2021. Lake Memphremagog Community Forum, Newport City, VT.
<https://www.youtube.com/watch?v=JhfwtYKfszM&t=2109s>

leachate treatment or pretreatment shall be done in the watershed. The Environmental Protection Agency (EPA) has inventoried 86,000 toxic chemicals that are manufactured or processed for use in industry, commerce and households, the majority of which will eventually end up in landfills⁶. The fate of hundreds of contaminants throughout the wastewater treatment process, the impact on human exposure, the bioaccumulation in wildlife and the cumulative effects on Lake Memphremagog, will not be fully understood even after a three-year pilot study. A total of 1,640,000 maximum gallon per day (mgd) is already permitted to be released from the four municipal WWTF located on the Vermont side of the watershed and Lake Memphremagog is receiving about 250,000 gpd of wastewater from the four WWTF located on the Quebec side of the watershed⁷. Also, the large ratio of Brown Bullhead with cancer in South Bay is already proving the existence of an environmental contamination with toxic chemicals in the South part of the lake. No leachate treatment or pretreatment in the Memphremagog watershed should be added to these issues.

We are concerned that the state of Vermont is not looking for alternatives to bury its waste and that the Coventry Landfill is still the only site targeted by the state of Vermont. For the same reasons, we are concerned that the state of Vermont does not seem to look for alternatives to treat leachate away from the Memphremagog Watershed in perpetuity. Canadian citizens are concerned that leachate coming from American garbage is treated and discharged at less than seven miles from the Canadian border in Lake Memphremagog, from which they take their drinking water.

The current NEWSVT's landfill is similar to the case of the last landfill to be located in the Canadian portion of the Memphremagog watershed which was owned by the company Intersan in Magog. In 2002, Intersan proposed a project to expand the landfill using the most advanced existing technology to increase the quantity of waste buried annually from 150 000 to 300 000 tons⁸. The local citizens were concerned about the impact of the landfill on Lake Lovering and Lake Memphremagog⁹. In 2007, during the public consultation held on the expansion project, the general public and policy makers, including the MRC Memphremagog and the City of Magog, expressed their opposition to the project, despite the fact that the project was following all regulations and was proposing the best existing technology: but no technology is guaranteed to be completely safe, and the chosen site was absolutely inappropriate¹⁰. After the public consultation, the Ministry of the Environment of Quebec concluded that it was unacceptable to continue if the MRC Memphremagog and the City of Magog

⁶ EPA Toxic Substance Control Act, <https://www.epa.gov/tsca-inventory/about-tsca-chemical-substance-inventory> (accessed November 9, 2021).

⁷ Gouvernement of Quebec, 2021. *Eaux usées domestiques, communautaires et municipales*. Web site.

⁸ D. DUFRESNE. « Intersan veut avoir le meilleur lieu d'enfouissement au pays », La Tribune (Sherbrooke), 8 juin 2002, p A1

⁹ Bureau d'audiences publiques sur l'environnement (BAPE) (2007). *Projet d'agrandissement du lieu d'enfouissement à Magog par Waste Management Inc.* pp. 89.

<http://www.bape.gouv.qc.ca/sections/rapports/publications/bape247.pdf>

¹⁰ Idem

were unsupportive of the project¹¹. The site is now closed, and the leachate is now treated outside of the Memphremagog Watershed, mitigating any further risk to the watershed.

We hope you will consider alternatives outside of the Memphremagog Watershed for the pretreatment or the treatment of leachate as previously done in Quebec. It is important to remember that the elected members of the Quebec National Assembly and local politicians of the Memphremagog and Sherbrooke regions support a permanent moratorium on leachate treatment in the Memphremagog Watershed. Continued collaboration and support to maintain Lake Memphremagog as a drinking water source, rich in biodiversity, and as a place for inhabitants and visitors alike to safely use, is in the best interest of the entire region. We appreciate your time and attention to review our comments concerning the draft pretreatment permit.

Sincerely,



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¹¹ Idem