

May 3, 2004

Mr. William Kennedy
Executive Director
Commission For Environmental
Cooperation

Comments on Draft Report - *“Taking Stock: A Special Report on Toxic Chemicals and Children’s Health in North America”*

Mr. Kennedy:

Clean Harbors Canada, Inc. Lambton Facility (formerly Safety-Kleen Ltd.) respectfully submits these comments on the draft report noted above.

The Clean Harbors Lambton Facility, located near Corunna, Ontario has been in operation for more than 30 years providing environmentally secure landfill of solid hazardous wastes and thermal destruction of liquid wastes in our high temperature incinerator. The Lambton Facility is the only commercially licensed hazardous waste landfill in the province. As a result, Clean Harbors is well suited by experience, expertise and interest to provide comments on the Commission for Environmental Cooperation (CEC) draft report.

Clean Harbors supports the CEC effort to provide meaningful, quantitative information to the public on the release of toxic chemicals into the environment. Our company has complied with NPRI reporting requirements since these reporting requirements were extended to include the hazardous waste management industry in 1998. We applaud this latest attempt by CEC to extract information, which is more meaningful, from the NPRI and TRI databases.

We have reviewed the draft report and would like to provide preliminary comments regarding some issues that concern us. Simply put, our concern regarding this report is the same concern we have voiced to Environment Canada each year since the waste management industry began NPRI reporting, namely:

- That volumes of material reported by Clean Harbors (or by Safety-Kleen) as “releases to land” were in fact placed in our chemical secure landfill, which has the express purpose of keeping them out of the environment.
 - At Clean Harbors Canada, Inc. our employees take great pride in the environmental standards in place to protect human health and the environment. We are the people actively involved in managing the hazardous wastes produced as a by-product of products used by all Canadians (including the children).
 - Clean Harbors does not generate waste. Our industry was born of regulation to provide protection for the citizens of Ontario by mitigating the potential for exposure to hazardous materials. The failure to differentiate between “releases to land” and wastes entombed in our secure landfill is misleading, inaccurate and unfair. It is an affront to the men and women working in our industry. We are part of the solution.

- Before 2002, the NPRI Reports did not make a differentiation in their numerical database between this type of controlled land disposal and a release of contaminants to land, (although the difference was referenced in footnotes to the numerical data). The 2002 and 2003 NPRI data presently being developed does make such a differentiation in the database tables and we encourage you to examine the 2002 data to obtain an accurate assessment of emissions from the Lambton Facility.
- The Lambton secure chemical landfill has been the subject of extensive geotechnical monitoring for the past 30 years. Independent consultant and Ministry of the Environment experts have studied the landfill's environmental integrity and concluded the location is providing secure containment of hazardous materials as it was designed to do. To reference this practice as a "release to land" is simply not true and serves to mislead the general public.

Recommendation

As you stipulated in your covering letter dated April 13, 2004, the CEC intends to include NPRI data for 2002 in the final version of this report. This must be done if your intent is to provide an accurate, truthful analysis of toxic chemical emissions in Canada.

Failure to clarify the fact that the Clean Harbors' Lambton Facility reported "releases to land" are actually managed in a secure, government approved landfill would be completely misleading and present a very wrong perception of the facility and the people that work here.

Yours truly,



Frank Hickling
Director of Operations
Lambton Facility
Clean Harbors Canada, Inc