

# ILLEGAL DUMPING

## INTRODUCTION

Respectful of the *Ohén:ton Karihwatéhkwen* and *Kaswentha*, we individually and collectively must heed our traditional teachings and respect for the Natural World to ensure a safe and healthy environment for our children and future generations, with an aim to meet or exceed standards in other jurisdictions, for contemporary circumstances. These standards are established on scientific grounds to protect the following:

- Human health
- Agricultural farm lands
- Natural environment
- Drinking water
- Country foods
- Fish & wildlife

*"Six Nations is a community with a strong and respectful relationship with Mother Earth. We protect Her to provide for us and future generations. We limit our impact and enhance the natural systems around us."*

– Vision Statement, Six Nations Community Plan, 2019.



## THE ISSUE

Illegal dumping has been a community concern for many decades. A Waste Management Bylaw, #1-93, was enacted in 1993 to address illegal dumping across the community.

Enhanced community protocols are needed to deter illegal transport and dumping of bulk excess soil and waste material.

Laboratory analytical reports need to be thoroughly reviewed by Qualified Persons (QP) to ensure that imported excess soil and materials are: not hazardous or detrimental to human health, the natural environment; buried infrastructure; nor subject to provincial orders that restrict re-use. In other instances, excess soil, waste water effluent, septic sludge, construction debris, etc. are being moved from on-reserve manufacturing sites and dumped in residential, wetland, and source water protection areas.

Note: Different grades of clean soil are needed for a variety of landscaping, grading, drainage and septic purposes. This interim protocol is not applicable for these legitimate purposes.

Enhanced community awareness, collaboration and cooperation, as well as the establishment of an environmental monitoring and community reporting program will be key to achieving the Community's Mother Earth vision.



On any given day, convoys of dump trucks can be seen transporting and dumping excess soil and other unknown materials on the Six Nations territory.

# INTERIM PILOT VOLUNTARY COMPLIANCE PROTOCOL

In response to numerous community concerns, Six Nations of the Grand River Elected Council is seeking the cooperation of all residents to voluntarily follow these steps pertaining to excess soil:

## ◆ IF YOU ARE A RESIDENT PLANNING TO:

- 1) Import excess soil that has been excavated from off-reserve sources (e.g. housing projects)
- 2) Move or transport excess soil, manufactured waste or debris from one property to another property on-reserve

## WE ASK THAT 30 DAYS PRIOR, YOU:

i. Contact the Six Nations Environment Office to arrange for the sharing of documentation (e.g. Laboratory Certificate of Analysis) proving the excess soil:

- o Has been tested for contaminants, (including, but not necessarily limited to PAHs, VOC, pesticides, hydrocarbons, metals – including mercury, salts, etc.), within 6 months of export and a Qualified Person (QP – with errors and omissions liability insurance), has verified that the material is free from hazardous waste, contaminants and invasive species (see Ontario Schedule XV.1 for provincial residential standards); and

- o Was not moved to secondary locations prior to being considered for import to Six Nations of the Grand River;

ii. Prepare flyers or notices to distribute to your neighbours informing them (& the community-at-large) of the dumping activity

## ◆ IF YOU ARE A RESIDENT CONCERNED THAT YOUR NEIGHBOUR IS TRUCKING/DUMPING UNKNOWN MATERIALS:

You may contact the Environment Office to anonymously report any suspicious dumping activity

## ◆ IF YOU ARE A TRUCKING COMPANY REPRESENTATIVE:

We ask that you, too, contact the Environment Office prior to the transport and/or dumping of excess soil on the territory

- ◆ The submitted documents will be reviewed by the Six Nations Environment Office (& other Qualified Persons, experts and community environmental monitors) for completeness and verification. Follow-up with the respective recipient property owners will include a notation that personal responsibilities, cultural-based environmental stewardship principles and property insurance liabilities remain in-tact.

# INTERIM PILOT VOLUNTARY COMPLIANCE PROTOCOL – NEXT STEPS

Draft Community Standards have been developed specific to dumping activities, the provisions of which, while draft, may be deployed in the interim. This is a pilot, interim initiative driven by the community. Nia:wen Kowa for your cooperation!

## STATEMENT OF CONCURRENCE

"This Council stands in solidarity with the environmental stewardship principles outlined in the recent Haudenosaunee Confederacy Chiefs Council Notice and will continue to support and pursue collaborative community strategies that promote our individual and collective responsibilities that heed traditional teachings and respect for the natural world to ensure a safe and healthy environment for our children and future generations."



## DEFINITIONS

**EXCESS SOIL:** soil, or soil mixed with rock that has been excavated as part of a project and removed from the project area and transported and dumped at a secondary location.

**WASTE:** includes household waste/garbage; industrial waste and wastewater effluent, including lagoon peat moss, sludge, and bio-solids; tobacco; Styrofoam; liquid and semi liquid substances (e.g. oil, antifreeze, lubricants, etc.); construction debris; scrap metal; and scrap of all kinds and any combination thereof.

**VOLUNTARY COMPLIANCE:** adherence to Haudenosaunee environmental naturalize laws, ethics and teachings to practice social and cultural responsibilities at the individual, community and corporate levels, independent of enforcement measures.