



**Stantec Consulting Ltd.**  
100-300 Hagey Boulevard  
Waterloo ON N2L 0A4

December 8, 2023  
Project/File: CIAR# 80100

**Julie Buron**  
Impact Assessment Agency of Canada

Dear Ms. Buron,

**Reference: CN Milton Logistics Hub September 14<sup>th</sup> Spill 90-Day Report**

The purpose of this correspondence is to provide the Impact Assessment Agency of Canada (IAAC), in accordance with Condition 14.5.5 of the amended Decision Statement issued July 26, 2022, with the 90-Day report following the incident that occurred on September 14, 2023. This correspondence is provided as follow-up to the *CN Milton Logistics Hub September 14th Spill 30-Day Report (30-Day Report)* dated October 13, 2023.

## **Changes Made to Avoid Subsequent Occurrences**

As outlined in the 30-Day report, Dufferin Construction Company (DCC) developed a Site-Specific Best Practices Document for Pumping Basins / Silt Bag Maintenance at the request of CN in an effort to avoid subsequent occurrences of this or similar incidents. Specific protocols and procedures for the use of filter bags and pumping of construction water on site were documented, which includes the following requirements:

- inspection of proper functioning of silt bags at the following intervals:
  - Prior to use
  - Hourly for the first two hours of use
  - Every three hours during regular use
  - At the end of the regular work day
  - After-hours pumping intervals to be assessed on a case-by-case basis
  - Higher risk areas requiring more frequent monitoring
- Inspection of silt build up within silt bags on a daily basis
- Temporarily halting pumping as required to complete inspections
- Replacing silt bags when they are observed to be approximately 1/2 full
- Ensuring all sediment basins include filter cloth liner, staked strawbale walls, and an appropriately sized silt bag, with the hose connection to the silt bag using wire
- Ensuring all sediment basin / silt bag locations are >30 m from a watercourse
- Oversizing silt bags to provide a buffer within the available capacity

Further, a stand down meeting was held by DCC with their work force to review and discuss site environmental requirements in response to this incident.

Reference: CN Milton Logistics Hub September 14<sup>th</sup> Spill 90-Day Report

## Additional Measure(s) Implemented to Mitigate and Monitor Residual Adverse Environmental Effects

As noted in the 30-Day Report, while the sediment plume was observed to extend downstream of the PDA into the Local Assessment Area and likely extended into the Regional Assessment Area, no residual accumulation of silt was observed within Indian Creek. Conditions returned to baseline levels shortly (i.e., within a few hours) after the incident and no residual accumulation of silt has been observed within Indian Creek. No fish mortality was observed and no long-term impacts on water quality, fish, or fish habitat are anticipated. No other valued components of the environment are expected to have been impacted by this spill as the release to the environment was isolated and contained to Indian Creek.

Since no residual accumulation of silt was observed within Indian Creek, no cleanup of the spill or residual material was required.

The construction activities associated with the use of the filter bag have been completed and the filter bag has been removed. The realigned portion of Indian Creek is now on-line (i.e., flows are active in the new channel) and the floodplain valley area where the filter bag was installed has been restored.

## Views from Indigenous Communities and Potentially Affected Parties

To date, no responses have been received from any of the agencies or Indigenous communities, and no further comments have been received from downstream landowners since submission of the 30-Day Report.

## Closing

We trust that the information contained in this correspondence addresses the information requirements of Condition 14.5.5 as it pertains to this incident. If you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

**STANTEC CONSULTING LTD.**

**Chris Powell** M.A.  
Senior Environmental Planner, Principal  
Phone: (519) 501-2368  
chris.powell@stantec.com

**Heather Amirault** P.Eng.  
Stream Restoration Engineer  
Phone: 519 575-8726  
Heather.Amirault@stantec.com

c. Tara Schwitzer, DFO  
Darren Reynolds, Kristina Boka, and France Moreau, CN