

Will MOE revoke St Mary's permit?

BY DON REDMOND

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A strongly-worded letter from the Ministry of the Environment's Hamilton office indicates that the MOE is poised to pull St. Mary's Permit to take Water (PTTW) later this month.

Responding to a letter he received from St. Marys questioning the importance of continued water recirculation tests, Carl Slater, a director with the MOE told the aggregate giant that "it is the Ministry's position that the hydrogeological studies completed to date have not provided information to conclude that the proposed Groundwater Recirculation System is an acceptable mitigation solution for this site."

He continued that "further pumping tests are necessary to demonstrate that the proposed Groundwater Recirculation System for this site will protect the quality and quantity of both groundwater and surface water."

He said that if St. Marys refused further tests, their PTTW would be yanked by March 20.

This came on the heels of the news the Ministry of Natural Resources had taken back the St. Marys' application and this time, the MNR has deemed it complete on March 3.

The MOE rebuke came as good news to Graham Flint, chair of FORCE, which is fighting the application for the proposed 10th Concession East/Milborough Townline quarry, located on the Campbellville-Flamborough border.

"The MOE has basically told St Marys Cement to 'read my lips'," said Flint. "We commend the MOE for standing up to the cement giant and defending the ministry decision and our water. The MOE is saying the company must demonstrate on-site that its proposed quarry and mitigation system will protect the quality and quantity of both groundwater and surface water for our community."

The one water recirculation test done by St Marys last year is considered insufficient due to high rains, he added. As well, the company was expected to do four tests in all but have since balked.

"The integrity and completeness of hydro-geological assessments by St Marys Cement continue to be questioned at many levels," said Flint. Flint noted that the MOE originally informed St Marys Cement last October that its Phase 1 pump test conducted during July 2008 "generated unacceptable data results." "Excessive rainfall had occurred before, during and after the pumping test," noted Flint. "This compromised the results of surface and groundwater monitoring and made interpretation of data challenging. Because of the significance of future decisions regarding quarry dewatering and mitigation, the MOE told the company that the pump test must be repeated before testing of the proposed mitigation system in subsequent phases under the PTTW would be authorized."

But Flint's biggest concern is that the quarry might be approved without proper water testing.

"If the PTTW is revoked, it will mean no mitigation system of any sort has been tested and proven at the Flamborough site," he said. "How can government decision makers approve a license or land use planning changes when the quality and quantity of a community's drinking water cannot be assured?"

The PTTW issue aside, Flamborough Councillor Margaret McCarthy appealed directly to Premier Dalton McGuinty - for the second time in one month - after learning that the MNR has not turned down a quarry application since 2000.

"Out of 235 aggregate license proposals posted from January 2001 to December 31, 2008, the Ministry of Natural Resources has approved 229 proposals," McCarthy told McGuinty. "The remaining six required no approval because they were 'withdrawn by the applicant' or because the two-year time limit for the application had expired."

She asked McGuinty to review the MNR's procedures with an eye towards his own government's stand on the environment.

“With the McGuinty government record on environmental protections, this clearly speaks to a need by your government to seriously review what is occurring at the MNR level,” she said. “Obviously, your record number of initiatives to monitor, enforce, and protect the environment are not being adhered to in this regard. The lands in question before the MNR are in, on, or around these provincially significant features, and if a dignified evaluation took place, would ensure denial of the license. However, given the statistics recently exposed indicates our likelihood of a successful appeal with MNR to be non-existent.”

She then asked that the Province assist its residents rather than a corporation. “Respectfully, I do wish to know what evaluation has taken place at the Provincial level to inject some fairness and integrity into what clearly is a one-sided battle with all the ammunition decidedly in favor of the applicant here.”