

Halton Compass  
By Don Redmond  
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Opponents say St. Marys bypassing MOE

Flamborough Councillor Margaret McCarthy and anti-quarry group FORCE are worried that St Marys has bypassed the Ministry of Environment and is going directly to the 'quarry-friendly' Ministry of Natural Resources with its application.

McCarthy said she had to hear from a Hamilton reporter that St Marys had gone ahead with its Aggregate Resource Act application for their 11th Concession Road West site, submitting it to the MNR, despite the fact the company still hadn't complied with the water recirculation tests mandated by the MOE.

She noted that she was shocked to learn, directly from the Hamilton branch of the MOE, that the ministry had "no authority to force St. Marys to carry out the pumping tests in the Permit To Take Water they recently issued them" by the MOE itself.

However, she did add that Bill Barnswick, the director of the Hamilton branch, told her in an email that "we will not entertain a PTTW application for the quarry itself until the necessary studies (which includes the pump tests) are carried out which demonstrate that the quarry will not impact quality and quantity of ground and surface water."

But the surprise shift of the application to the MNR had McCarthy baffled.

"At this point, some will be questioning what is going on now?" she wondered in an email to the media.

She believes it was the quarry company's inability to come up with solid results for the groundwater recirculation system (GRS) that caused the sudden application move.

At a December 15 MOE workshop she attended, McCarthy said, "it became apparent that the regulations set down in the Director's Rules would make the St. Marys water recirculation theory impossible for them to prove. That establishes why St. Marys has shifted in their strategy from pursuing the Water Taking Permit Application tests and forging ahead with their request for a Aggregate Resource application instead."

Gram Flint, chair of FORCE, agreed, telling the Compass that since St. Marys hadn't yet complied with the MOE's criteria, "they simply decided to go to the MNR instead because they are more aggregate-friendly or quarry-friendly."

"Our speculation is they're losing one battle so they've simply picked another battleground."

However, like McCarthy, he acknowledged that no matter what, St. Marys would be "forced to return to the MOE at some point."

His sole cause for concern was the fact that neither his group, the City of Hamilton, Halton Region nor McCarthy was given a copy of the application that St. Marys submitted to the MNR.

"We have no idea what the application says - whether it's a rehashing of the present application or something new entirely. But maybe they think it will be easier to go through the MOE if they have some approval from the MNR."

McCarthy agreed, noting, "I believe they are hoping for is that the aggregate license will pave the way towards some approvals before they undergo the scrutiny of scientific studies - studies which they now know will be even more onerous on them to prove. No doubt we have science on our side, which is the good news."

"The bad news is we still have a fight on our hands," she added. "This is nothing new for us, we have successfully managed to expose the game playing to date, and that won't change now."