

MNR clarifies quarry application process

St. Marys Cement will announce time, date for upcoming public meeting

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Even as the Ministry of the Environment (MOE) joined Hamilton's medical officer of health, Dr. Elizabeth Richardson, in expressing the need for St. Marys Cement (SMC) to complete water pumping tests at its proposed Flamborough Quarry before proceeding with the aggregate licence process, SMC was making arrangements last week to hold a public information meeting as part of the consultative stage of the process. The Ministry of Natural Resources (MNR), which ruled the application complete last week, stepped into the fray this week in hopes of clarifying the process by providing answers to questions posed by the Review last week.

Responding from its headquarters in Peterborough, the MNR explained that when an aggregate licence application is submitted, the aggregate inspector reviews the package to ensure that all pertinent documents as outlined in the Aggregate Resources of Ontario Provincial Standards have been submitted; this is what is referred to as deeming the application as complete.

"It is important to recognize that this process of determining that an application has provided all of the required information to start the review and consultation process in no way implies MNR's endorsement of the application," the ministry stated.

After the application has been deemed complete, the process becomes applicant driven, meaning that St. Marys Cement must now provide public notice of the application in a local newspaper. The complete application package will also be submitted to various public agencies, including the MOE, on or before submitting the public notice to allow them to comment on it.

#### Public meeting

A public meeting will then be held to gather feedback from residents; as yet, St. Marys has not announced a place or date for the meeting but company spokesperson Jennifer Tuck said this week it will most likely be held sometime in late April.

The 45-day consultation period is followed by a more extensive time period in which the applicant tries to resolve objections to the quarry plan.

The application is only good for two years, so all of the documentation, including details of the company's attempts to resolve objections, must be submitted to the MNR before the deadline is reached. At that point, the ministry can either find the objections to be unfounded and present its recommendation for issuing a licence to the Minister of Natural Resources or it can refer the matter to the Ontario Municipal Board (OMB) for a decision.

MNR officials in Peterborough estimate that more than 50 per cent of all ARA (Aggregate Resources Act) licences are referred to the OMB.

Asked how it responded to concerns voiced in Dr. Richardson's letter to the MNR office in

Guelph suggesting that the MNR consult with the MOE about the need for the pump testing to be done before deeming the application complete, the MNR said the St. Marys application will be circulated and reviewed by agencies, including the MOE, to determine if sufficient information has been provided to assess the established groundwater table, any potential adverse effects to groundwater and surface water resources and their uses, and any mitigation measures to ensure there will be no adverse impacts of the operation on the water table and surrounding features.

“If the MOE, in their review of the hydrogeological report, are still of the opinion that the report does not address the needs with respect to groundwater, then they would object to the application and St. Marys will need to resolve their objection, and if they can’t, the matter would be referred to the Ontario Municipal Board for a hearing,” the ministry responded.

### Permit to Take Water

In a letter to St. Marys last week, the MOE set a March 20 deadline for revoking the PTTW (Permit to Take Water) granted to the aggregate company for the pumping tests. The tests, slated to be completed in three rounds, were abandoned by the company when the MOE ruled that the first round be repeated because heavy rainfall during testing had skewed results.

The letter, which suggests the company fails to fully understand the purpose of the tests, is being reviewed by St. Marys officials who will determine how to follow up, Tuck said Wednesday.

The company has stated in the past that it will require a long-term PTTW from the MOE if the land use is approved for the quarry on 11th Concession Road East and Milborough Line. At that time, the ministry can require the pump tests to be done.