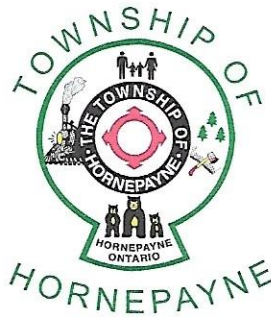


P.O. BOX 370
68 FRONT STREET
HORNEPAYNE, ONTARIO
P0M 1Z0



TELEPHONE 807-868-2020
FAX No. 1-807-868-2787

August 4th, 2016

George Collins
Box 883
Nipigon, ON
P0T 2J0

RE: Municipal Freedom of Information Request

Dear Mr. Collins:

The Corporation of the Township of Hornepayne ("Corporation") has received your Freedom of Information request letter ("FOI Request") dated June 25, 2016, which was sent to the Freedom of Information and Privacy Officer ("Officer") of the Corporation.

Your FOI Request seeks records within the Corporation's care and control pertaining to the "extent and degree [of] pollution and associated health risks for persons living in close proximity to CN property."

The Corporation has searched its records and does not have records in its care and control relating to this FOI Request.

Yours truly,

A handwritten signature in black ink, appearing to read 'Gail Jaremy'.

Gail Jaremy
CAO/Clerk
Township of Hornepayne
GEJ/

Encl.

1
Mr. George Collins
Box 883
Nipigon, ON P0T 2J0

April 19th, 2017

Information and Privacy Commissioner of Ontario
1400 - 2 Bloor St. East
Toronto, ON M4W 1A8

Mr. Brian Beamish,

Respectfully Mr. Commissioner I submit the following attached to my Appeal to give you the most accurate, up to date facts and information I have concerning this matter.

The purpose of this Appeal is a hope that you will direct the Corporation of the Township of Hornepayne to surrender copies of correspondence related to this matter that, "they must have."

I filed simultaneously on June 25th, 2016 Freedom of Information requests to the Ministry of the Environment for Ontario, here after referred to as the M.O.E. and the Corporation of the Township of Hornepayne, hereafter referred to as the Municipality. Please find copies of the same numbered correspondence #1.

The material I requested was related to a locally known but unsubstantiated, undetailed pollution problem on Canadian National Railway property, hereafter referred to as C.N. and which has undoubtedly spread to adjacent Municipal or public and private land.

In response to my request I received a letter dated August 4th, 2016, from the Township of Hornepayne stating, "The Corporation has searched its records and does not have records in its care and control relating to this (F.O.I.) request. Please see correspondence #2.

On or about April 4th, 2017 I received, from the M.O.E., nine months after the fact, a disc which displayed two thousand, three hundred and sixteen (2, 316) pieces of correspondence, most of which relates directly to this matter. I add as a side note that this compilation, extensive as it is, is incomplete. Of the material I did receive I found several addressed to the Municipality of Hornepayne. Please see correspondence #3.

A quick summary of the material paints a shocking picture of the extent and degree to which four (4) large areas of C.N.'s property is polluted with known carcinogens, referred to in the material as, "diesel fuel and associated products." Some estimates of quantity run as high as three million (3,000,000) liters to a depth indicated by drill results of five (5) meters, with a migration rate of two (2) meters per annum. Please see correspondence # 4.

II

Some of this material states that cleanup activities have been ongoing since the mid nineteen seventies (1970's). The first document dated Mar 2nd, 2015 and numbered 000001 makes direct reference to contact with and document exchanges with the Municipality. It states and I quote, "We received zoning information from the Township of Hornepayne on Friday of last week. C.N. signatures are now required so this will take a lot of time." Please see correspondence #5.

The second document dated August 13th, 2015 and numbered 000002 applauds the recent procurement by C.N. of a lead technical consultant named ARCADIS, who it states will integrate the current KGS Group Engineering, Thunder Bay, and again I quote, "into the remedial action plan developed by Arcadis, who are now tasked with reviewing the site to determine a more aggressive and innovative manner to address the site." Please see correspondence #6.

I conclude, from this, that past efforts have not made much progress to date or perhaps original estimates were grossly under estimated, but this terminology sets off alarm bells considering the number of years they have been working in the shadows to address this matter.

I am confident that after only a cursory examination of my material supplied to you, you will conclude, as any reasonable person would, that the response I received from the Municipality of Hornepayne's Freedom of Information Coordinator, which denies the existence of any records in its care or control relating to this matter, flies in the face of common sense. It constitutes an abdication of responsibility to provide and forward as the Act requires documents and material requested by the applicant.

The seriousness of this refusal, as you are no doubt aware, is made very clear in the text of the Act, "that to deliberately destroy, hide or alter requested information to prevent it being released is a criminal offense that individuals and public authorities can be charged with."

Commissioner, I began an official search for facts on this matter August 30th, 2007, almost ten (10) years ago. I wrote a Mr. Mike Windstanley, highest C.N. officer in Hornepayne at that time with cc:'s to Mr. Mike Brown, M.P.P. for Algoma Manitoulin, Mr. Gene Belanger (mayor) of Hornepayne, and Council, Mrs. Laurel Broten, Minister of the Environment of Ontario. I never received any response, which was not a surprise, and subsequent requests to C.N. have all been met with silence. Please see correspondence #7.

Whether it is complicity to mitigate the Municipality and C.N.'s liability or common political expediency my attempts to acquire support through the offices of Mrs. Carol Hughes, current N.D.P. MP for Algoma- Manitoulin - Kapuskasing and Mike Mantha current M.P.P. for Algoma Manitoulin resulted in a communication disconnect by both parties. Mike Mantha, who at one time worked in the constituency office for Carol Hughes and remembered my first correspondence requesting her assistance on behalf of her constituents in Hornepayne, gave me full assurance that if he was re-elected he would assist in obtaining relevant material and I quote, "will take the matter to the Minister." Please see correspondence #8. The last contact I

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had with him was on June 12th, 2014, the day he was in fact re-elected, some people have no shame.

For the record, I list the names of other people or offices I have attempted to gain assistance from.

Mr. Jim Bradley Minister of the Environment (successor to Laurel Broten)
Ontario Ombudsman
Integrity Commissioner of Canada
Integrity Commissioner of Ontario
Gobpubliccbc.ca
Contact CN.ca
The Chronicle Journal, Thunder Bay
N.D.P. contact Bill Bains

I list the above to give credence to the following statement: Commissioner, if there is one fact which has become crystal clear to me it is how critical the Freedom of Information and Privacy Act is with regard to assisting the average person in obtaining the TRUTH.

My main concern is for the people, some of which are children living in close proximity to this disaster zone. Exposure to carcinogens can and does have deadly effects, which makes the knowing of the extent and degree of the pollution to the people of Hornepayne and in particular those whose property borders with C.N., a matter of paramount importance.

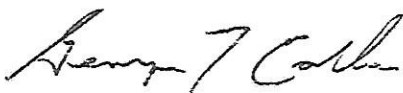
After going through the M.O.E. material a logical conclusion is that all property, North of C.N.'s property line, is contaminated to one degree or another as a result of C.N.'s past practises and their failure to remedy the situation over the last forty (40) years.

I include a small amount of additional information in the form of emails which supports and expands upon some of the above factors. Please see correspondence #9.

I trust I have provided enough information and supporting documents to sustain my concerns and to justify your time and attention to this serious matter.

If I can be of further assistance I am at your service.

Yours Sincerely,



George Collins
Appellant

George Collins
Box 883
Nipigon Ont.
POT 2J0

June 25th, 2016-06-28

Freedom of Information
And Privacy Coordinator
Office of the Municipality of Hornepayne
Box370 POM 1Z0

Dear person,

Please find enclosed one Request Form type, Municipal Freedom of Information and a cheque for five (5) dollars made payable to the Municipality of Hornepayne. You may bill me for additional determinations at my return address.

It is my intent to pursue the extent and degree pollution and associated health risks to persons living in close proximity to CN property specifically those residence living between CN property and the Jackfish River.

Sincerely,


George Collins

My Copy -

APP. → Box 370 - 68 Front St.

Request Form

under the *Freedom of Information and Protection of Privacy Act*/
Municipal Freedom of Information and Protection of Privacy Act

Please Note: A \$5.00 application fee is required for all requests.

Request for: <input checked="" type="checkbox"/> Access to General Records <input type="checkbox"/> Access to Own Personal Information <input type="checkbox"/> Correction to Own Personal Information	Name of Institution request made to: <i>Municipality of Homepaysne</i>
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If request is for access to, or correction of, own personal information records:
Last name appearing on records: same as below, or: _____

<input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Miss	Last Name: <u>COLLINS</u>
First Name: <u>GEORGE</u>	Middle Name: <u>J.</u>
Address: (Street/Apt. No./P.O. Box/R.R. No.) <u>121 FOURTH ST. Box 883</u>	City/Town: <u>NIPIGON</u>
Province: <u>Ontario</u>	Postal Code: <u>P0T 2J0</u>
Telephone Number (Day): (807) <u>887-3328</u>	Telephone Number (Evening): () _____

Detailed description of requested records, personal information or personal information to be corrected. (If you are requesting access to or correction of your personal information, please identify the personal information bank or record containing the person information, if known.)

① Results of Soil Sampling done by K.G.S. Engineering of Thunder Bay

② minutes of meetings between Homepaysne, CN, and MOE concerning contamination on and off C. Properties

③ other related correspondence (all)

Note: If you are requesting a correction of personal information, please indicate the desired correction, and if appropriate, attach any supporting documentation. You will be notified if the correction is not made and you may require that a statement of disagreement be attached to your personal information.

Preferred method of access to records: <input type="checkbox"/> Examine Original <input checked="" type="checkbox"/> Receive Copy	Signature: <i>George J. Collins</i>	Date: <i>June 25th 2016</i>
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For Institution Use Only		
Date Received:	Request Number:	Comments

Personal Information contained on this form is collected pursuant to the Freedom of Information and Protection of Privacy Act/Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of responding to your request. Questions about this collection should be directed to the Freedom of Information and Privacy Co-ordinator at the institution where the request is made.