



## Industrial Sewage Inspection Report

<b>Client:</b>	Canadian National Railway Company Mailing Address: 1 Administration Rd, Post Office Box, 1000, Concord, Ontario, Canada, L4K 1B9 Physical Address: 1 Administration Rd, Vaughan, City, Regional Municipality of York, Ontario, Canada Telephone: (905)669-3377, FAX: (905)760-4306, email: david.sutherland@cn.ca Client #: 8338-4JGK8N, Client Type: Corporation, NAICS: 482111		
<b>Inspection Site Address:</b>	Canadian National Railway Hornepayne Yard Address: 58 Front Street, Hornepayne, Township, District of Algoma, P0M 1Z0 District Office: Sault Ste. Marie GeoReference: ,		
<b>Contact Name:</b>	David Sutherland	<b>Title:</b>	Environmental Officer
<b>Contact Telephone:</b>	(905)669-3377 ext	<b>Contact Fax:</b>	
<b>Last Inspection Date:</b>	2007/06/28		
<b>Inspection Start Date:</b>	2007/11/14	<b>Inspection Finish Date:</b>	2007/11/14
<b>Region:</b>	Northern		

### 1.0 INTRODUCTION

A responsive inspection was completed at the Canadian National Railway Company Hornepayne Yard as a follow -up to a previous inspection at the Yard on June 28, 2007, in which Ministry staff were denied inspection powers to make compliance observations related to a sewage works operated at the East End of the Yard . The Company agreed, via an email from David Sutherland on October 31, 2007, to allow Ministry staff to complete an inspection of the East End Recovery System to assess whether or not the systems operations are subject to the Ontario Water Resources Act while maintaining their position that the facility is not subject to provincial jurisdiction. David Sutherland with CN was present for the inspection with consultant Tony Gallo from KGS Consulting Group.

### 2.0 INSPECTION OBSERVATIONS

**MOE Facility Number:**

N/A

**Certificate of Approval Number(s):**

Yes  No

### 2.1 PROCESS DESCRIPTION

The East End Recovery System was constructed for the extraction and treatment of diesel contaminated groundwater in the area of the former East End Refuelling Station . The system consists of 10 groundwater recovery wells, 1 groundwater interception trench, an oil/water separator discharging to the East end lagoon, which in turn gravity discharges to the Little Jackfish River . Diesel contaminated groundwater is diverted from the interception trench and recovery wells to the oil water separator . Recovered diesel is diverted to storage tanks and the remaining effluent is diverted to the lagoon for final disposal to the Little Jackfish River . The system is operated seasonally from May to November as weather permits . KGS Consulting Group was onsite at the time of the inspection decommissioning the works for the winter .

Although no approval has been issued for the sewage works, the Company monitors the works operation according to the same

criteria the Ministry has imposed on the approval issued for the West End Recovery System . The Company completes and logs weekly inspections of the works , and collects monthly samples which are analysed for benzene , toluene, ethylbenzene, xylene, total purgeable hydrocarbons, total extractable hydrocarbons , and oil and grease as required by the West End Recovery System approval . Records of sample analysis and inspections are maintained onsite at the location of the works .

**2.2 EFFLUENT SUMMARY REPORT**

The sewage works is currently operated without a certificate of approval .

**2.3 SYSTEM CAPACITY ASSESSMENT**

Item	Year 1	Year 2	Year 3
Average daily flow (m <sup>3</sup> /day)	0.00	0.00	0.00
Maximum daily flow (m <sup>3</sup> /day)	0.00	0.00	0.00
Capacity Design (m <sup>3</sup> /day)	0.00	0.00	0.00
% of capacity, based on average daily flow	0.00	0.00	0.00

**2.4 SAMPLING REQUIREMENTS**

The Company currently collects samples from the oil /water separator effluent and from the lagoon effluent on a monthly basis which are analysed for benzene , toluene, ethylbenzene, xylene, total purgeable hydrocarbons, total extractable hydrocarbons , and oil and grease.

**2.5 REPORTING REQUIREMENTS**

There are no reporting requirements associated with the sewage works . The works is operated without a certificate of approval .

**2.6 FLOW MEASUREMENT**

N/A

**2.7 MINISTRY SAMPLE RESULTS**

Were Ministry samples collected during the inspection ? No

**2.8 FINANCIAL ASSURANCE**

N/A

**3.0 REVIEW OF PREVIOUS NON-COMPLIANCE ISSUES**

The Ministry has stated its position in previous inspections and correspondence that a certificate of approval is required for the operation of the East End Recovery System . The Company has not applied for an approval of the system as it maintains its position that the Ontario Ministry of the Environment does not have jurisdiction over the operation of the facility .

**4.0 SUMMARY OF INSPECTION FINDINGS (HEALTH/ENVIRONMENTAL IMPACT)**

**Was there any indication of a known or anticipated human health impact during the inspection and/or review of relevant material, related to this Ministry's mandate ?**

No

Specifics:

**Was there any indication of a known or anticipated environmental impact during the inspection and/or review of relevant material ?**

Yes

**Specifics:**

**Was there any indication of a known or suspected violation of a legal requirement during the inspection and/or review of relevant material which could cause a human health impact or environmental impairment ?**

Yes

**Specifics:** The Company has constructed and is operating a sewage works for the treatment and recovery of diesel contaminated groundwater. The Company does not hold, nor have they applied for, a certificate of approval as required by section 53 of the Ontario Water Resources Act .

**Was there any indication of a potential for environmental impairment during the inspection and/or the review of relevant material ?**

No

**Specifics:**

**Was there any indication of minor administrative non-compliance?**

No

**Specifics:**

## 5.0 ACTION(S) REQUIRED


A Provincial Officer's Order identifying actions required by the Company has been issued to address ongoing non-compliance related to the operation of the East End Recovery System .

## 6.0 OTHER INSPECTION FINDINGS

There are no additional inspection findings to report at this time .

## 7.0 INCIDENT REPORT

Applicable

4338-795S5Z 

## 8.0 ATTACHMENTS

**Required attachments:**



CNEast End.jpg



CNEast End (1).jpg



CNEast End (2).jpg



CNEast End (3).jpg



CNEast End (4).jpg



CNEast End (5).jpg



CNEast End (6).jpg



CNEast End (7).jpg



CNEast End (8).jpg



CNEast End (9).jpg

**PREPARED BY:**

**Environmental Officer:**

Name: David Dominelli  
District Office: Sault Ste. Marie Area Office  
Date: 2007/11/20  
Signature



**REVIEWED BY:**

**District Supervisor:**

Name: Rod Stewart  
District Office: Sault Ste. Marie Area Office  
Date: 2007/11/22

Signature:



File Storage Number: SI-AL-HP-230

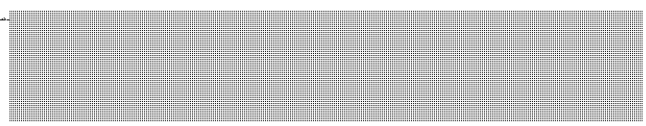
**Note:**

"This inspection report does not in any way suggest that there is or has been compliance with applicable legislation and regulations as they may apply to this facility. It is, and remains, the responsibility of the owner and/or the operating authority to ensure compliance with all applicable legislative and regulatory requirements"

Red 5

cell call  
1034

Jan 4/2007  
London

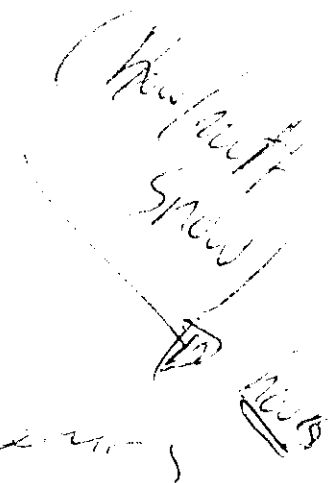


100  
ALM 194 704

CN Hong Kong

snow jet 1/2 hour using very loud.  
problem last year, advised that they would  
do again.

Off site loud noise.



CN rail on noise

→  
16.36

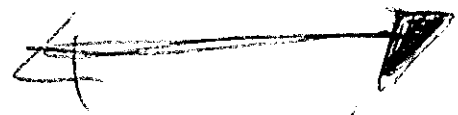
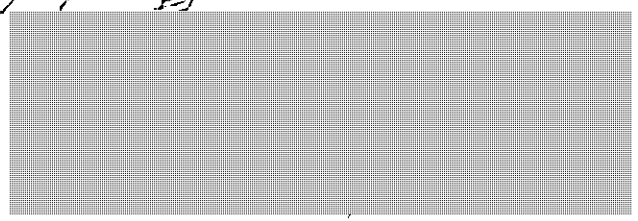
loud screening

s.21

103 West End Road

Kempsey

exhaust.



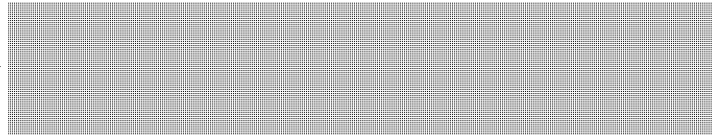
only use in 1st sewer  
system's

exhaust cat. no.

held up phone in side house loud noise  
heard also

15  
15

1147 → called —



We will look into

---

and call right back.

s.21

issues — 1/2 of natural resources

all on site

— CN, still recovery/monitoring

VM → 1129 AM → David

SW → 15 EAST

10:15  
Started.

switch freeze freeze

as needed

running for 15 min more

see incident report.



Ontario

Ministry of the Environment  
Ministère de l'Environnement

CERTIFICATE OF APPROVAL  
INDUSTRIAL SEWAGE  
NUMBER 4-0052-98-006

Page 1 of 6

D

Canadian National Railway  
Suite 702  
277 Front Street West  
Toronto, Ontario  
M5V 2X7

*You have applied in accordance with Section 53 of the Ontario Water Resources Act for approval of:*

the establishment of sewage works for the collection, transmission, treatment and disposal of groundwater that has been impacted with petroleum hydrocarbons at the West End Fuelling Stand at the Canadian National Railway Hornepayne Yard in Wickstead Township, consisting of the following:

- approximately eleven (11) 50 millimetre diameter perforated pipe underdrains installed under the trackage adjacent to the West End Fuelling Platform and the contaminated soil stockpile, discharging to the retention lagoon;
- one (1) retention lagoon with a storage capacity of approximately 960 cubic metres (at the maximum operating water elevation of 324.4 metres), including a sheet pile weir and belt oil skimmer with product recovery storage tank, discharging to the lined drainage ditch;
- one (1) polyvinyl chloride lined drainage ditch extending from the retention pond to Jackfish Creek, including the relocation of the existing concrete discharge control structure;
- all other controls, electrical equipment, instrumentation, piping, valves and appurtenances essential for the proper operation of the aforementioned sewage works;

all in accordance with the documents listed in schedule 'A'.

*You are hereby notified that this approval is issued to you subject to the terms and conditions outlined below:*

**TERMS AND CONDITIONS**

**DEFINITIONS**

1. For the purpose of this Certificate of Approval:

- (1) "certificate" means the entire within certificate of approval issued in accordance with section 53 of the Ontario Water Resources Act, R.S.O. 1990, Chapter O.40 and includes its schedules, if any;



Ontario

Ministry            Ministère  
of the                de  
Environment        l'Environnement

CERTIFICATE OF APPROVAL  
INDUSTRIAL SEWAGE  
NUMBER 4-0052-98-006

Page 2 of 6

- (2) "Director" means any Ministry employee appointed by the Minister pursuant to section 5 of the Act;
- (3) "District Manager" means the District Manager of the Sudbury District Office of the Ministry;
- (4) "grab sample" means a volume of effluent of at least 100 millilitres which is collected over a period not exceeding fifteen minutes and immediately transferred to an appropriate laboratory sample container;
- (5) "Ministry" means the Ontario Ministry of the Environment;
- (6) "owner" means Canadian National Railway and includes its successors and assignees; and
- (7) "works" means the facility described in the owner's application, this certificate and in the supporting documentation referred to herein, to the extent approved by this certificate.

#### OPERATION AND MAINTENANCE

2. The Owner shall ensure that the works and related equipment and appurtenances which are installed or used to achieve compliance with this certificate are properly operated and maintained.

#### EFFLUENT LIMITS

3. (1) The Owner shall be design, construct and operate the works such that, at all times, the effluent being discharged to Jackfish Creek does not contain solvent extractable matter of mineral or synthetic origin in excess of 15 milligrams per litre, as measured by Oil and Grease.
- (2) Notwithstanding any other Condition in this certificate, the Owner shall ensure that the effluent from the works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film or sheen or foam on Jackfish Creek.

#### EFFLUENT MONITORING

4. The Owner shall establish and carry out, upon commencement of operation of the works, the following effluent monitoring program:
  - (1) Sampling points shall be established to the satisfaction of the District Manager prior to commencement of operations of the works at the following locations



Ontario

<i>Stream A: Effluent from Discharge Control Gate</i>	
Frequency	Once each month
Sample Type	Grab
Parameters	Benzene, Toluene, Ethylbenzene, Xylenes, Total Purgeable Hydrocarbons, Total Extractable Hydrocarbons, and Oil and Grease

- (2) The methods and protocols for sampling, analysis and recording shall conform to the methods and protocols specified in the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (August 1994), ISBN 0-7778-1880-9, as amended from time to time by more recently published editions.
- (3) After the Owner obtains a minimum of six (6) months of monitoring results, the monitoring frequency specified in subsection (1) may be changed to such frequency as the District Manager may specify in writing from time to time.
- (4) The Owner shall supplement the monitoring program in subsection (1) with visual inspections which shall include, but not be limited to the following:
  - (a) A weekly inspection of the effluent from the Discharge Control Gate during discharge of treated water for any visible oil sheens; and,
  - (b) A weekly inspection of the level of material in the recovered product storage tank.

REPORTING EMERGENCIES

5. As related to the approved works, the Owner shall ensure that, upon the occurrence of any spill, bypass or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance into the environment, such occurrence be immediately reported to the District Officer, or his designate, during normal working hours, or otherwise the Spills Action Centre for the Ministry (Telephone No. 1-800-268-6060). In addition, within 10 working days of the occurrence, the Owner shall submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.



RECORD KEEPING

6. The Owner shall maintain a log-book at the site at all times, which must be made available for inspection and copying by Ministry personnel, upon request. The log-book shall contain but not be limited to the following:
- (1) Results of the effluent monitoring required pursuant to Condition No. 4, including results of the visual inspections as per subsection (4) of Condition No. 4; and,
  - (2) Quantity and frequency of recovered oil disposal from the recovered products storage tank.

*The reasons for the imposition of these terms and conditions are as follows:*

1. Condition No. 1 is included to define terms used in this Certificate of Approval.
2. Condition No. 2 is included to ensure that the works will be operated, maintained and equipped in a manner enabling compliance with the terms and conditions of this certificate, such that the environment is protected.
3. Condition No. 3 is included to ensure that the discharge from the works meets Ministry policy and guidelines, in order to prevent deleterious effects on the environment.
4. Condition No. 4 is included to ensure that the Owner can demonstrate on a continual basis that the quality and quantity of the effluents from the works are consistent with the design objectives and the approved works does not cause any impairment in the surrounding environment.
5. Condition No. 5 is included to ensure that the Ministry is immediately informed of the occurrence of an emergency or otherwise abnormal situation so that appropriate steps are taken to address the immediate concerns regarding the protection of public health and the minimizing of severity environmental damage and to be able to devise an overall abatement strategy to prevent long term degradation and the re-occurrence of the situation
6. Condition No. 6 is included to ensure that accurate information is readily available so that a proper and accurate assessment of the operating performance of the works may be conducted and that appropriate measures be taken should the operating performance of the works not be satisfactory.



Ontario

Ministry of the Environment  
Ministère de l'Environnement

CERTIFICATE OF APPROVAL  
INDUSTRIAL SEWAGE  
NUMBER 4-0052-98-006

Page 5 of 6

*In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, as amended, you may by written notice served upon me and the Environmental Appeal Board and in accordance with Section 47 of the Environmental Bill of Rights, S.O. 1993, Chapter 28, the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Board. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 101 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, provides that the Notice requiring the hearing shall state:*

1. The portions of the approval or each term or condition in the approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

*The Notice should also include:*

3. The name of the appellant;
4. The address of the appellant;
5. The Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the sewage works are located;

*And the Notice should be signed and dated by the appellant.*

*This Notice must be served upon:*

The Secretary,  
Environmental Appeal Board,  
2300 Yonge St., 12th Floor,  
P.O. Box 2382,  
Toronto, Ontario.  
M4P 1E4

The Environmental Commissioner,  
1075 Bay Street,  
Suite 605,  
6th Floor,  
Toronto, Ontario.  
M5S 2W5

The Director,  
Section 53, Ontario Water Resources Act,  
Ministry of the Environment,  
250 Davisville Avenue, 3rd Floor,  
Toronto, Ontario.  
M4S 1H2

*This instrument is subject to Section 38 of the Environmental Bill of Rights, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry, you can determine when the leave to appeal period ends.*

*The above noted sewage works are approved under Section 53 of the Ontario Water Resources Act.*



Ontario

Ministry of the Environment      Ministère de l'Environnement

CERTIFICATE OF APPROVAL  
INDUSTRIAL SEWAGE  
NUMBER 4-0052-98-006

Page 6 of 6

DATED AT TORONTO this 21st day of October, 1998.

THIS IS A TRUE COPY OF THE ORIGINAL CERTIFICATE MAILED

ON Oct 22/98

[Signature]

RC/ba (Signed)

[Signature]  
M. Dhalla, P.Eng.,  
Director,  
Section 53,  
Ontario Water Resources Act.

cc: -District Manager, MOE Sudbury District Office ✓  
-Mr. Jeff Frank - KGS Group

AL HF RA 1cc  
(2)

**Crosson, Kirk (ENE)**

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**From:** DAVID.SUTHERLAND@cn.ca  
**Sent:** Monday, May 29, 2006 2:19 PM  
**To:** Crosson, Kirk (ENE)  
**Subject:** RE 58 Front St. Hornepayne, District of Algoma

Kirk

I have the fax and we are preparing a response.

My mailing address should be:

Canadian National Railway  
P.O. Box 1000  
Concord, Ontario  
L4K 1B9

Attn: David Sutherland, Environment Officer

Thanks

David

LP 01

Ministry of Environment and Energy

OCCURRENCE REPORT

Entered: 2002/05/08 12:54

Batch : 2002/05/09

Abstracts[01] Diaries[00]

PAGE: 1

UPDATED

Received By PAUL M WEBB

SSM02-089

ORIS No. 9900060272

I.E.B. No.

Occurrence Type: SPILL Subtype: WATER

Work Plan [WS]

Occurrence: 2002/05/07

Date Time

Reported by (Name/Organization)

Report to MOE:2002/05/08 12:19 MOE at Scene:

KEN FRASER CN RAIL

Assigned To:

Telephone No. 807-868-2293 X

Alternate No. 807-868-2922 X

Maureen Burtch

Address:

ERP Contacted:

HORNEPAYNE

Postal Code:

Callout: [ ] NSP: [ ] ERP Name:

Location of Occurrence: HORNEPAYNE TWP. LITTLE JACKFISH RIVER

Source: CANADIAN NATIONAL RAILWAY HORNEPAYNE MAINTENANCE SHOP

NORTHWEST SAULT STE. MARIE ARE Reg. [6] Dist. [SM] Municipality [80615]

Sector: [TA] Source: [OP] SIC: [4561] UTM: N: [ ] E: [ ] Zone: [16]

Syn: CN RAIL-SLIGHT SHEEN ON RIVER FROM RUNOFF, BOOM DEPLOYED.

Brief Summary:

CALLER REPORTS A SHEEN AT THE OUTFALL AT THE LITTLE JACKFISH RIVER. CALLER OBSERVED THE SHEEN YESTERDAY AND DEPLOYED A BOOM TO CONTAIN THE SHEEN TODAY.

12:24 S.A.C. TO NICK COLEMAN, EFT MSG FOR CALLBACK.

12:38 NICK TO S.A.C., REPORTS HE WAS NOT AWARE OF THE SHEEN, HE WILL INVESTIGATE FURTHER. NICK SUSPECTS IT IS FROM THE EASTSIDE WHERE A SUMP COLLECTS RUNOFF BUT SOMETIMES IT GETS THROUGH TO THE RIVER. NICK WILL GATHER INFO AND UPDATE ED BIL OF SSM MOE.

If there are related reports, record initial/master ORIS No. here>>

Follow-up Action: [X] Abatement [N] IEB [ ] Other [ ] BF Date:

See attached supplemental report.

File Closed: [X] Abatement [ ] IEB [ ] OTHER [ ] Complainant Contact Code [CNR] Date [ ] Suspected [ ] Violation

Report Prepared by: Maureen Burtch Date: 30 May 02 IEB Investigator IEB BF Date

Approving Officer: [Signature] Date: Aug 3/02 Reviewing Officer Date

Specify number(s) for routing original [ ] [ ] [ ] [ ] Continued [ ] Yes Specify number(s) for copy distribution [ ] [ ] [ ] [ ] [ ] 1. Investigator/E.O. 2. D.O./File 3. SAC (initial spills) 4. Reg. Dir./ Mgr. 5. IEB Reg. Spv 6. IEB H.O./file 7. Other

SAC Action Class: 1:[10] 2:[ ]

OCCURRENCE REPORT CONT'D

PAGE: 2

ORIS No.: 9900060272 IEB No.:

-----

Material 1: PETROLEUM OIL (N.O.S.)	Code..: 15
Amount: UKN	UN No.: 1270
Material 2:	Code..:
Amount:	UN No.:

-----

Cause.....:	Code..: 98
Reason.....:	Code..: 98

-----

Person in Control: CANADIAN NATIONAL RAILWAY	Waste GenNum:
Owner : CANADIAN NATIONAL RAILWAY	Waste GenNum: 0013123
Agencies Involved.....:	

-----

Clean up and Restoration Carried out by:  
 [Y] Controller  [Y] Owner  [N] Other

% Cleaned up:	0.00	Estimated Cost: \$	0.00
Were Directions or Approval Given Under			
EPA Part X <input type="checkbox"/> [N] Regulation 362 <input type="checkbox"/> [N]			Manifest No.

Waste Class: NOT APPLICABLE	Code..: 000
Hauler:	Code..:
Disposal Site:	Code..:

-----

Environmental Impact:	Nature of Impact:	
POSSIBLE	Water course or lake	Code..: 06

-----

People/Business Damaged  
(Other than to Owner/Controller)

Nature of Damage:	Code..:
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OCCURRENCE REPORT CONT'D

PAGE: 3

ORIS No.: 9900060272 IEB No.:

s.21

ABSTRACT ENTRIES

SM

=====

2002/05/09 10:57 [REDACTED]  
10:23 NICK COLEMAN, CN RAIL (905)669-3377, TO SAC (KH) - DUE TO GROUNDWATER  
CONTAMINATION IN THE AREA, HIGH FLOW RATES OF THE RIVER TEND TO PULL SMALL  
AMOUNTS OF DIESEL FROM THE SEDIMENT, CAUSING THE SURFACE SHEEN. THEY HAVE  
ONE RIVER BOOM IN PLACE - CATCHING MOST OF THE SHEEN - WITH ABSORBENT  
PADDING. ARE TRYING TO OBTAIN MORE BOOMS/PADDING. HAS NOTIFIED MOE-SM.

NOTE: Box numbers on this form match box numbers on Initial Occurrence Report.

SSM02-089

2. Type of Occurrence		ORIS No. 9900060272	I.E.B. No.
<input checked="" type="checkbox"/> Occurrence Code <input type="checkbox"/> Sub. Cat. Code		4. Source (Name of Company/Person, Process Area, Address)	
3. Location of Occurrence Hornepayne Township Little Jackfish River		Canadian National Railway Hornepayne yard maintenance shop	

5. Synopsis (75 Characters Maximum)  
sheen on River from runoff collected behind beam

6. Summary

ICON Number

May 24/02 - CNR Hornepayne yard, oil collection system and discharge points to Little Jackfish River viewed by M. Butch and E. Bil. No apparent discharge @ final point of control and no sheen visible on the Little Jackfish River beyond. CNR staff to monitor beam and change if necessary. Historic sheen during periods of heavy precipitation and elevated River flow, due to residual oils

7. Follow-up Action     Abatement     I.E.B.     Other

Abatement clause with CNR Environment staff regularly, to ensure ongoing compliance

File Closed: <input checked="" type="checkbox"/> Abatement <input type="checkbox"/> IEB <input type="checkbox"/> Other	Complainant Contacted Contact Codes CON CNR	CON YY MM DD CNR	Suspected Violation Code
8. Report prepared by Maureen Butch	Completion Date YY MM DD 10 20 02	I.E.B. Investigator Assigned Print	I.E.B. B. F. Date YY MM DD
Approving Officer	Date YY MM DD	IEB Supervisor Print/Initial	Date YY MM DD

Specify number(s), indicating the routing of the original

Specify number(s), indicating the distribution of the copies

Continued  Yes

1 Investigator or Environmental Officer    2 District Officer/File    3 SAC (all spills)    BEST AVAILABLE COPY

4 Reg. Dir./ \_\_\_\_\_ Mgr.    5 IEB Reg. Supervisor    6 IEB Head Office/File    7 Other \_\_\_\_\_



# Initial/Supplemental Occurrence Report Continuation Page

Complete appropriate boxes in this section if this page is used		
ORIS No. 9900060272	I.E.B. No.	Page 2 of 2

in deep soils below yard. On-site collection and treatment systems capturing much of historic/present contaminants although deep soils may continue to release very small amounts of contaminants under high flow conditions, in future.

Approved collection and treatment system operating properly and in compliance with C. of A.

M. Burtch

BEST AVAILABLE COPY



Engineering  
Ingenierie

**David Sutherland**  
Environment Officer

4 Welding Way  
P.O. Box 1000  
Concord, Ontario L4K 1B9

T 905-669-3377 F 905-760-3406  
david.sutherland@cn.ca

6/20/17  
D.P.

**From:** Rod Stewart  
**To:** Burtch, Maureen  
**Date:** 1/8/03 6:09PM  
**Subject:** Re: CN Hornepayne Media Contact

Maureen no call from reporter.. Rod

>>> John Steele 01/06/03 06:06PM >>>

Proceed with the call to the reporter at your convenience. Perhaps Rod can give him the information for you if you are not available till tomorrow. Or he can phone the reporter and ask him to wait until Wednesday.

>>> Maureen Burtch 01/06/03 03:22PM >>>

Hi, John,  
I've received information today from CN rail staff about the diesel fuel quantity issue that arose last week with the Thunder Bay Chronicle-Herald.

In addition to speaking to the Environmental Coordinator for CN today, I received a copy of a Power-Point presentation that CN made to their Hornepayne rail yard staff and Township council on September 18/02. My discussion and the presentation confirm the amounts of diesel fuel atop the groundwater over the entire rail yard - a range of 400,000 litres to 1.6 million litres in what is known as the "West End"; and a range of 280,000 to 1.4 million litres in the "East End". The west end is under a remedial program & C of A since 1998; the east end program will be starting this year and will be under C of A.

The wide range in quantities is due to the fact that there were at least 5 different consultants investigating subsurface conditions in this yard since 1995, and several different methods were used to determine quantities. This isn't uncommon; I've run into this situation in other large rail yard remedial programs.

Surprisingly, the 1998 C of A for the west end yard remedial program does not contain a condition requiring annual reporting to the Ministry, which I find unusual but the EO and Approvals at the time must have felt it wasn't necessary. However, it does contain a condition requiring that pump records be kept and made available to MOE staff upon request, so the information about quantities is there.

s.21

The caller who tipped the Chronicle-Herald wasn't wrong in his quantity but was wrong that it was changed or somehow hidden by CN.

Does this give you enough information, John, to determine a response by me to the Chronicle-Herald's request for follow-up on Wednesday? [REDACTED]

I'll have to call [REDACTED] after you give agreement, and arrange to speak to [REDACTED] at another time or day - possibly, Wednesday morning [REDACTED]. I've briefed and copied Rod Stewart on the contact so he's aware of all.

Please let me know how you want me to proceed.  
Regards,  
Maureen