

Township of Hornepayne
68 Front Street
P.O. Box 370
Hornepayne, ON P0M 1Z0



Tel: (807) 868-2020
Fax: (807) 868-2787
www.townshipofhornepayne.ca
info.hpayne@bellnet.ca

The Geographic Centre of Ontario

August 10, 2021

George Collins
69 Third Avenue
Hornepayne, ON
P0M 1Z0
Email: grampabug7@hotmail.com

Dear Mr. Collins:

Your letter to Mayor and Council dated June 30, 2021 was tabled at the regular Council meeting of Wednesday, July 14, 2021.

Council had a preliminary discussion on the issue and has asked me to provide a comprehensive staff report for them to review at an upcoming meeting this fall, after which further discussion will be had.

Our Council meetings are livestreamed onto YouTube at [\(27\) township of hornepayne - YouTube](#) so you are always welcome to view the meetings live or go back and watch the recordings either on YouTube or on our website at [Township of Hornepayne - Meeting Type List \(civicweb.net\)](#).

I will keep you apprised of our progress.

Best Regards,

A handwritten signature in cursive script, appearing to read "Gail Jaremy".

Gail Jaremy
CAO/Clerk
Township of Hornepayne

Sent elec. Aug 20th, 2021, 09:10 AM.

(1)

Mayor Fort and Council,
Hornepayne Ont.
August 17th, 2021.

RE: CN'S POLLUTION & MOONLIGHT LAKE.

On August 10th, I received notice from your CAO/clerk that you have decided to look into my concerns with regard to CN's pollution and the ramifications that have resulted from the same. With regard to the matter, of particular concern for me, was the decision by Mayor Gene Belanger and council in 2004 to decommission town wells and make Moonlight Lake the new water source for the community of Hornepayne. That decision, supposedly based upon the various Studies lacked clarity and logic. As such I found the validity of that decision suspect.

Your notice to me dated August 9, 2021, stating that you are willing to do a "comprehensive staff report", does little to assure me that this matter is going to receive the due diligence it deserves. While I regard your decision to do something as a forward movement your plan is deficient in several areas.

Correct me if I'm wrong, but to the best of my knowledge, there is NO ONE qualified within your staff, to make a comprehensive report, with regard to this specialized subject matter. Another example regarding your staff's inability to produce a comprehensive "in house" report, is the fact that your CAO/clerk and staff, to date, are unable to find or give ANY explanations concerning the missing Ground Water Study. Any comprehensive report would necessitate addressing this issue and your staff has already admitted and demonstrated they are incapable of doing so.

Additionally, any possibility of your staff producing a merited "in house" report, can be dismissed based on the lack of candor, anomalies and irregularities, I have experienced to date, from the Township and CN, since the beginning of my query.

The following, is for your consideration, and coincidentally offers an explanation for my "TONE" in the June 30th "corres.", that Mayor Fort objected to.

1. On August 30th 2007 - I sent a letter to CN asking for info. concerning their pollution problem and CC'd the Town, to which, I received zero response. (See PDF #34 on my site hpcnomissions.ca to view the same)
2. On March 25th 2008 - I had a lawyer Peter G.F. Young, write to CN asking for a response and information with regards to their pollution problems, to which I received zero response or acknowledgement. (See PDF#34 again, for viewing on my site hpcnomissions.ca)

(2)

3. On June 25th 2016 - I submitted an (FOI) REQUEST to the Town, asking for information contained in your files concerning the environmental disaster on CN property, all of which is surrounded by residential dwellings. The response I received dated August 4th, 2016, from your COA/ CLERK stated and I quote "The Corporation has searched its records and does not have records in its care and control relating to this FOI Request". (See attached doc. #1a, #1b and #2 also see PDF #33 on my site)

4. On June 25, 2016 - I also filed a FOI request to the MOE now the MECP which subsequently, resulted in me receiving thousands of documents concerning this matter. Some were direct exchanges between the Corporation of Hornepayne and the Ministry. (See attached doc. numbered #3, #4,#5)

5. Of particular interest in the material I received from MECP, was the fact that KGS for CN, made a Power Point presentation to the Township Council on September 18, 2002, within the Municipal offices, concerning the gravity of its pollution problem. (See page 22 of PDF #13 and PDF #8 Environmental over site CN Yard, for the presentation on, hpcnomissions.ca) I find it VERY DIFFICULT TO BELIEVE that there was no record of this occurrence, in the Official Township Record. (See attached doc. numbered #6)

6. On Sep 6, 2017 - I sent an (FOI) request to the Town of Hornepayne. Your CAO/clerk's response dated Sept 21, 2017, claimed a cost of \$62.50 with a reduction of \$35.00, if I wished to receive a digital copy only. (See copies attached numbered #7)

7. On Oct 6, 2017 - I filed an (FOI) request, for a copy of the Environmental Study Report, which had been presented to Council, on Oct 2, 2002. After reviewing said report, I noted that CN's responses, which were to be included in Public Consultation section 3.0, were MISSING, along with other doc. (see doc numbered #8 and #9)

8. On Jan 30, 2018 - I reapplied for those missing "CN responses". I am currently waiting and their fate is still unknown at this time. (See attached doc. numbered #10, #11, #12)

9. As a direct result of further material I obtained from the MECP, on Fed.22, 2018 - I made a FOI request to your CAO/clerk, for copies of documents exchanged between the Township and Janet Amos (reportedly, an environmental guru). This would be approximately the same amount of material as the previous Sept 6, request. (see doc. numbered #13)

10. March 26, 2018 - I received a response claiming the cost of providing the information I requested, would be \$703.30. However, if I prefer a digital copy, this fee could be reduced by 80cents. This fee is in stark contrast to and unreasonable in comparison with past charges, consider a much larger amount of documents, approximately three thousand pages, I'd received from the MECP, for a cost of less than \$140.00. (see doc. numbered #14, #15, #16) While I can appreciate the inconvenience caused by my (FOI) requests, for material that stretches back in time, I am not responsible for the state of the Municipal records, which adds to

(3)

that inconvenience or cost, nor should I be penalized for the extra time it takes to provide the material requested as a result of the same. I point out, had my original request of June 25, 2016, resulted in the Township providing the information I requested, subsequent requests would not have been required. (See attached doc. numbered #2 again)

11. While I appreciate Mayor Fort's "assurance" concerning every penny of taxpayer's money, I have reasonable skepticism. Your response regarding my April 3, 2019 request, for an inquiry regarding the missing \$61,546.39, Ground Water Study, was extremely disappointing. The response received on May 14, 2019 was a blatant "NO" and it was stipulated in that correspondence that any further requests with regard to this matter, would be deemed UNTIMELY. (That's a hell of a lot of pennies down the drain see doc. numbered #17)

After several requests, from both past and present councils, I still have no plausible explanation for the disappearance of that Study. Your CAO/clerk's current classification of this material, (allegedly in existence) is misleading and flies in the face of irrefutable evidence, that it was in the office of the Township in October of 2004. (Please refer to PDF #41 and PDF #47 concerning the same on hpcnominissions.ca and the attached doc numbered #18)

12. On May 27, 2021 - I received from Environment and Climate Change Canada, or ECCC material which included an observation made by one of their Enforcement Officers, Sarah Cameron. On Nov 6, 2018, in Hornepayne, on CN property, she states "so much oil in ground here, migrates into lagoon and when it rains, the contaminated water runs over Railway Crescent into lagoon #2, lagoon, #2 has a culvert out to the Jackfish River." (Refer to attached doc. numbered #19 and #20)

The fact that this officer, made these observations more than three decades AFTER cleanup operations began, speaks volumes. The enormity of the problem and CN's failure to clean it up is alarming. After three decades, there is still NO OFFICIAL STATEMENT made to the people of Hornepayne from CN, or the Township, acknowledging the EXISTENCE OF/OR THE EXTENT OF this environmental disaster, within the Town.

This long time failure by the Township to inform and keep the community updated on this matter is a failure in leadership and a disgrace in itself, and that failure has one purpose, to keep the matter off the radar screen and protect CN. Ms. Cameron's comments in 2018 give validity to the mishandling of this matter and I assert that the multi-million dollar cost to the people of the community to go to Moon Light Lake for water as a result of this pollution, constitutes a very dark, unprecedented occurrence in the history of Hornepayne.

13. On August 12,, 2021 - I requested a copy of the "one agreement" by which, CN is exempt from paying the pro rata rate, with regard to water and/or sewage charges in Hornepayne. After being somewhat evasive, as the emails reveal, your COA/clerk required me to fill out and submit a (FOI) request to obtain this PUBLIC information. (see docs. Numbered #21, #22, #23, #24) I ask why is it constantly necessary, for me to apply under the FOI Act, to obtain information from

(4)

the Public Record with regard to this matter? (See copies of the same numbered #25)

The above list is incomplete; however, I do believe it sufficiently demonstrates a lack of willingness on the part of the Town CAO/clerk, to release information as required by her. On one occasion Gail's reluctance to provide information, after I had filed an (FOI) request, resulted in my appealing her decision. Through the assigned Mediators' efforts, the Town was required to issue a supplementary decision letter and provide me with further records from your files. (see docs. Numbered #26, #27, #28)

Evidently, your CAO/clerk, has taken a position of impeding and obstructing where and whenever possible my right to obtain information, concerning this matter. My grievances with the Township's actions from the beginning is that it has lacked candor and demonstrates beyond a reasonable doubt, a bias towards the Corporation of Hornepayne, (not to be mistaken for the people of Hornepayne) and uncooperative CN Rail.(see doc. numbered #29)

The Corporation's initial cavalier, denial, that it had any information in its records, regarding this matter and subsequent evidence that it did, raises a legal issue, regarding its obligations under the Freedom of Information Act, and I do intend to pursue this matter.

How can anyone seriously expect me to have confidence, that under the direction of this person, the Township proposes to produce an open, transparent, comprehensive, report to address all concerns related to this matter? I request the fair minded councillors, who are reserving judgement in this matter pending consideration of ALL the facts, to keep the above record and this staff bias in mind as we proceed.

It is my position that anyone entrusted to govern and administrate, are obligated to protect the interests of the community FIRST, beyond any other consideration. If that paradigm is in practice then it is my opinion you would WELCOME any INFORMATION from ANYONE brought to your ATTENTION, concerning matters of this magnitude and consequence for the community. In this matter, CN's pollution, directly and adversely affects EVERY member of the community but your actions to date, are diametrically opposed to the response one would expect.

Having remarked upon the negative aspects in your plan and the circumstances that in effect, will make it DOA, I offer the following positive suggestions for your consideration:

The Township applies for a grant, to hire a firm with suitable credentials, with Hydrogeologists and Geologists on staff to examine this matter in its entirety. (I add not a firm working for or connected to CN Rail as was the case in 2001 with KGS) Such an audit by an OUTSIDE FIRM, objective, unbiased, qualified and experienced, should result in a credible report, above repute and as such, conclusions and determinations could be made upon it.

You also have the option of requesting an Investigation under the Environmental Bill of Rights

(5)

(ERB) 1(1), which defines “adverse effect”. You could request offsite ground water tests along the Jackfish River between the CN polluted sites and to the point at which the Jackfish River passes closest to the old decommissioned town wells. Such tests, I believe would verify petroleum hydrocarbons in the ground water, between the two sites, and subsequently, continuity between CN’s pollution and the decision to abandon the Town Wells.

Another option open to council, is the Ontario Environmental Protection Act, RSO 1990, 93(1) which requires, “the owner of the pollutant to prevent, eliminate and ameliorate the adverse effect and restore the natural environment”.

You may also consider reaching out to a number of different ENGO’s for help. All said efforts, would be within the capacity of your staff, the expense would be nominal and the results could be very positive. I point out, there have always been options, but there has never been motivation.

For the present and future wellbeing of the community, including your families, I hope you will seriously, consider my suggestion to hire a credible outside entity, to look into this matter and make their findings Public.

I have pointed out the problems with your current “in-house” plan and the impossibility of it resulting in a “comprehensive report”, your CAO/clerk and staff are neither willing, nor qualified, to produce the same. If however, in your wisdom, you decide to proceed with your plan to sail the Titanic, I have no expectations of it producing any work of merit. Simply put, I conclude, it will be nothing more than theater.

For those who have taken the time to read this correspondence in its entirety and give sincere, consideration to the factual evidence and perspective it offers, I thank you for the same. In response to any future, negative feedback...I counter with the following: “If I’m guilty of anything, it is only for putting the facts on the table, for which, there will be no apologies.”

As always, Mayor Fort and Council I wish you and the community well.

George Collins,
Property Owner Hornepayne.



CC To: Mr. Michael Gravelle, MPP Thunder Bay- Superior North.
The Honourable Patty Hajdu, P.C. M.D. MP Thunder Bay-Superior North.
Ms. Maneka Kaur, Canadian Environmental Law Association (CELA).
Mr. Don MacAlpine, Author, Activist. Environment North, Thunder Bay.
Environmental Advocacy, Ms. Carmen Patey, Sudbury Ont.

#1A

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 requested 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/RR. 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.N. property.
- 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.

LB

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
George Collins

My Copy -

APP. → Box 370 - 68 Front St.

#2
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,

Gail Jaremy
CAO/Clerk
Township of Hornepayne
GEJ/

Encl.

#3

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.

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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

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Maureen Burtch - Re: CN Hornepayne M² Contact

Page 1

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?

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

openomissions.ca

Page 22 PDF #13

002084

Industrial Sewage Inspection Reports
and Occurrence Reports.

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



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

September 21st, 2017

George Collins
121 Fourth Street
Box 883
Nipigon, ON P0T 2J0

RE: File No. M2017-006

Dear Mr. Collins:

Thank you for your request dated September 6th, 2017, requesting the disclosure of the Hydrogeological Study presented by KGS Group at the meeting of Council October 1st, 2002 and for a copy of the Class-"C" Regulation used as a result of that study. The request falls within the purview of the Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA" or "Act").

Decision: Access has been granted to the requested records which will be forwarded to you after receipt of the payment of necessary fees set out below.

Fees: A comprehensive calculation has determined that the remaining cost to process your access request is \$57.50 detailed as follows:

Application Fee Paid:	\$ 5.00
Search Time:	\$ 7.50
Record Preparation:	\$ 15.00
Photocopying:	<u>\$ 35.00</u>
TOTAL:	\$ 62.50

Remaining Balance: \$57.50

If you should wish to receive a digital copy only, the cost will be reduced by \$35.00, leaving your balance at \$22.50. Please advise if you would prefer a digital copy or a hardcopy of the documents and forward payment for the appropriate amount.

#8
P.O. BOX 370
68 FRONT STREET
HORNEPAYNE, ONTARIO
P0M 1Z0



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

September 29th, 2017

George Collins
121 Fourth Street
Box 883
Nipigon, ON
P0T 2J0

RE: File No. M2017-006

Dear Mr. Collins:

Thank you for your cheque in the amount of \$57.50 in payment for your Freedom of Information Request as referred to above.

You will find enclosed, as requested, the following:

- Copy of Hydrogeological Study presented by KGS Group at the meeting of Council of October 1st, 2002;
- Copy of Class "C" Environmental Assessment Reg. used as a result of that Hydrogeological Study;
- A receipt for payment.

Trusting all is in order.

Yours truly,

Gail Jaremy
CAO/Clerk
Township of Hornepayne
GEJ/

Encl.

LIST OF TABLES

1. Summary of Well Construction Data and Water Elevations
2. Summary of Township of Hornepayne Municipal Well Construction Details
3. Groundwater and Surface Water Quality Data 2002
4. Daily Temperature, Turbidity and Conductivity Data for Hornepayne Creek and Well No. 3.
5. Ion Balances
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7. 50 -Day Travel Time WhAEM 2000

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- request copies of 1. to 10 inclusive*
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 2. Regional Topography and Drainage
 3. Local Topography and Test Drilling and Sampling Locations
 4. Bedrock Geology
 5. Regional Quaternary Geology
 6. Local Quaternary Geology and Aquifer Boundaries
 7. Stratigraphic Section A
 8. Local Topography and Drainage
 9. 50 -Day Time of Travel - Well 1 Pumping at 30L/sec
 10. 50-day Time of Travel- Well 3 Pumping at 30L/sec
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 12. Sulphate and Conductivity Plots vs Time
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 14. Calcium, Magnesium and Potassium Plots vs Time
 15. Well No. 3- Daily Turbidity
 16. Well No. 3-Raw Water Total Coliform and *E.coli*
 17. Creek Elevation vs. Well No. 3 Turbidity
 18. Creek Elevation vs. Well No.3 and Creek Conductivity

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- A. MOE Certificate of Approval
- B. Township of Hornepayne Town Site Base Map
- C. MOE Data Base Summary Tables
- D. Well Logs and Pump Tests
- E. Summary Test Pit and Test Hole Logs and Geologic Mapping Points- KGS Group 2002
 - E-1 Logs
 - E-2 Mapping Points
- F. Supplemental Water Quality Data
 - F-1 Well No. 3 Historical Data (Engineering Northwest Ltd. January 2001)
 - F-2 Daily Data for Well No.3 April through June 2002
 - F-3 Summary of Microbiological Parameters (Engineering Northwest Ltd. January 2001)
- G. 2002 Water Quality Sampling Laboratory Results
- H. Photographs

10

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 Hornepayne</i>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------

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 First Name: <u>GEORGE</u> Address: (Street/Apt. No./P.O. Box/R.R. No.) _____ Province: <u>Ont.</u> Telephone Number (Day): (807) <u>987-3328</u>	Last Name: <u>Collins</u> Middle Name: <u>J</u> City/Town: <u>Nipigon</u> Postal Code: <u>P0T 2J0</u> Telephone Number (Evening): () <u>SAME</u>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------

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.)

Canadian National Railways and other responses received as referred to in 3.0 of Public Consultation (EA) Study Report (2004)

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 Collins</i>	Date: <i>Jan 30th 2018</i>
-----------------------------------------------------------------------------------------------------------------------------------	----------------------------------	----------------------------

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.

11

Township of Hornepayne,
CAO/Clerk Gail Jaremy.

Please find enclosed one (FOI) request for Canadian National Railways response and the other responses received from the, "number of agencies" as referred to in 3.0 Public Consultation of the Environmental Assessment Study Report (2004).

I include Documentation from the same study Re. your file number M2017-008, which confirms the existence of such.

I have not included the usual five (5) dollar processing fee as this material should have been included in your original mail out of October 26th 2017. I will however pay for the additional pages at the per usual rate when the total number of the same is established.

Thanking you for your attention to this request.

George Collins.



#12



3.0 PUBLIC CONSULTATION

3.1 Introduction

A Notice of Commencement for the study to address the water supply in the Community of Hornepayne was published in the Bear News in March 2003. A copy of the notice is attached as Appendix B. In addition, a notification letter was distributed to residents as a "mass mailing"; a copy of the notification letter is also included in Appendix B.

In addition to advertising in the media, a study commencement letter was mailed by the Township to the mandatory agency contacts during the week of Jan.31, 2003 and notice was sent by bulk mail to every postal box in Hornepayne. Refer to Appendix C for a list of contacts.

3.2 Responses

Written responses have been received from a number of agencies.

Refer to Appendix D for written responses and minutes of meetings.

3.3 Public Consultation

A notice of a September 22, 2003 public meeting was published in the Bear News on September 10 and 17, 2003.

A copy of the notice has been included in Appendix E.

The Public Information Centre was held at the Township Office. The Project Team was on hand from 2:00 p.m. to 4:00 p.m. and from 7:00 p.m. to 9:00 p.m. The purpose of the Public Information Centre was to:

- Introduce the project team;
- Provide an overview of the project;
- Review the Class EA Study Process;
- Provide an overview of the problem and alternatives evaluated;
- Present the preferred solution;
- Solicit input regarding the preferred solution.

Six displays were prepared for the meeting. Copies of the public meeting comment sheet, sign in sheet and displays are provided in Appendix E and maps in Appendix H.

A notice of a January 20, 2004 public meeting was published in the Jackfish Journal on January 7 and 14, 2004. A copy of the notice is also included in Appendix E. Copies of notes related to the second public meeting are provided in Appendix E.

RE: INFO.

Gail Jeremy <jaremy.hpayne@bellnet.ca>

Thu 22/02/2018 12:11 PM

To: 'George J Collins' <grampabug7@hotmail.com>

Good Afternoon George,

#13

Yes, you will have to file an FOI request.

Regards,

Gail

From: George J Collins [mailto:grampabug7@hotmail.com]

Sent: February-22-18 9:42 AM

To: Gail Jeremy

Subject: INFO.

Gail Jeremy,
CAO/clerk
Hornepayne Ont.

Good Morning Gail.

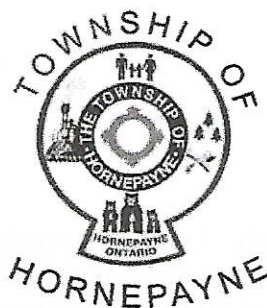
I'm doing research into the professional relationship between the Corp. and JANET AMOS in particular monies paid out to her and copies of agreements, contracts, and correspondences between her and the Corp.

Will it be necessary to file an (FOI)?

Geo. Collins.

#14

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



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

March 26th, 2018

George Collins
121 Fourth Street
Box 883
Nipigon, ON P0T 2J0

RE: File No. M2018-002

Dear Mr. Collins:

Thank you for your request dated February 23rd, 2018 and received in this office on March 2nd, 2018 requesting the disclosure of documents showing the cost of the First Engineers' Report 2001, the Hydrogeological Study KGS 2002, the Environmental Assessment Phases 1 to 4 2004 and the Drinking Water Source Protection Parts 1 & 2 2010 – 2012. This request falls within the purview of the Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA" or "Act").

An extensive search has been performed by staff and access has been granted to the following records and will be forwarded to you after receipt of the payment of necessary fees set out below:

- 1) Copy of Schedule C – 27064 showing cost of Engineering Study, Hydro-G Report and Water Characterization Study at \$63,796. There was no other documentation attached to this Schedule.
- 2) Copy of Canada Ontario Infrastructure Program (COIP) Claim Statement through the Ontario Small Town and Rural (OSTAR) Development Infrastructure Initiative outlining the total Municipal portion of the cost of the Class Environmental Assessment Study to be \$43,329.09.

At this point in time, I am not able to provide costs for the Drinking Water Source Protection Parts 1 & 2. We were unable to locate any record of payment onsite; however, I have requested information from a third party and will forward the payment information on to you if the third party is able to provide it.

The records search was completed in response to this request and the request filed under File No. M2018-003 (monies paid out to Janet Amos of Amos Environment and Planning, also contracts, agreements and correspondence exchanges).

15

414

Page 2
M2018-002
March 26th, 2018

You will note that the fee is quite high. There are several reasons for this. Due to the fact that the Township purchased a new accounting software program in 2012, which was not fully brought on-line until mid-2013, the computerized Accounts Payable records prior to that time are unavailable. Likewise, the hard copies of the majority of those documents are also unavailable as the Township is only required to keep such records for a period of seven (7) years. In addition, senior municipal staff that were employed during the time period of these studies have since retired and current staff, myself included, is unfamiliar with the historical files.

Due to our limited human resources our historical records are not digitized and are, instead, stored in boxes. In order to ensure that you were given access to any possible documents illustrating payment for the reports and studies as requested, as well as documentation referring to Ms. Janet Amos (File No. M2018-003), every effort has been made to ensure that each document was reviewed individually. The records in the boxes range from 2000 to 2013. In addition the Council Resolutions covering the years 2000 – 2015 were scoured for payment information regarding the above-listed documents as requested.

The search fees have been split between the two file numbers given that search efforts related to both files as follows:

Application Fee Paid:	\$ 5.00
Search Time:	\$697.50
Record Preparation:	\$ 0.00
Photocopying:	<u>\$ 0.80</u>
TOTAL:	\$703.30

Remaining Balance: \$698.30

If you should wish to receive a digital copy only, the cost will be reduced by \$.80 leaving your balance at \$697.50. Please advise if you would prefer a digital copy or a hardcopy of the documents and forward payment for the appropriate amount.

Pursuant to Section 45(4) of the Act you may seek a waiver of all or part of the fees.

The Act provides that all or part of the fee can be waived if, in our opinion, it is fair and equitable to do so, if the fee will cause you financial hardship or if dissemination of the record will benefit public health or safety.

You will be required to provide evidence in support of any fee waiver request. If you wish to apply for a fee waiver, please put your request in writing detailing your reasons for the waiver and submit it to the address on the letterhead.

You may appeal this decision under Section 39 of the Act to the Information and Privacy Commissioner of Ontario.

#16

Page 3
M2018-002
March 26th, 2018

If you wish to file an appeal with the IPC, you must provide the Commissioner's Office with:

1. The file number listed at the beginning of this letter
2. A copy of this decision letter
3. A copy of your original request sent to the Township;
4. A cheque in the amount of \$25.00 payable to the Minister of Finance.
5. Mail all materials to: Information & Privacy Commissioner/Ontario
2 Bloor Street East, Suite 1400 Toronto, Ontario, M4W 1A8

Please note, you have 30 days from the receipt of this letter to request a review. Please contact the undersigned if you have any questions or would like further clarification.

Yours truly,



Gail Jeremy
CAO/Clerk
Township of Hornepayne
GEJ/

Attach:

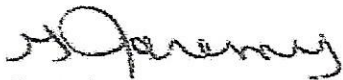
17

As outlined in your response letters, the recourse for further concerns or complaints about the relevant Decisions was appealing the Decisions, pursuant to Section 39 of the Act, to the Information and Privacy Commissioner of Ontario. Please note, you had 30 days from the receipt of the Township's Decisions to appeal. The Decisions set out the necessary steps that had to be taken for an appeal.

By writing this letter, the Township is not acquiescing to an extension of time to file those appeals to the Prior Requests/Decisions.

The Township will take the position that any IPC appeals of the Prior Requests/Decisions are untimely.

Sincerely,



Gail Jeremy
CAO/Clerk
Township of Homepayne
GEJ/

c.c.: Mayor & Council

Attach:

Looking for the missing #61,546.39
60% completed Ground Water Study
Township states any further inquiries
are "untimely".

#18

DEPARTMENT HEAD REPORTS

Resolution No. 7627

Moved by Councillor A. Elliott

Seconded by Councillor D. Jaremy

Be it resolved that the Council of the Corporation of the Township of Hornepayne does hereby provide a letter of support to Contact North to assist them in their efforts to obtain funding for a full e-learning network.

Carried

Resolution No. 7628

Moved by Councillor A. Elliott

Seconded by Councillor H. Pullen

Be it resolved that the Council of the Corporation of the Township of Hornepayne does hereby authorize Kathy Bembem of Engineering Northwest Limited to apply in writing to the Ministry of the Environment for an extension on the date of completion for our groundwater study report to June 30th, 2003.

Carried

Resolution No. 7629

Moved by Councillor D. Jaremy

Seconded by Councillor A. Elliott

Be it resolved that the Council of the Corporation of the Township of Hornepayne does hereby write-off the attached water/sewer account in the amount of \$124.25 for the reason stated.

Carried

Resolution No. 7630

Moved by Councillor D. Jaremy

Seconded by Councillor H. Pullen

Be it resolved that we do pass the attached library accounts for the month of August 2002:

Cheque No. 9811 to 9820 in the amount of \$1,037.72

Carried

#19

Notes of E.O. Sarah CAMERON

November 6, 2018

Page 6 of 7



Environment and
Climate Change Canada

Environnement et
Changement climatique Canada



Sarah Cameron

Enforcement Officer
Environmental Enforcement Directorate
Ontario Region
Enforcement Branch

187 Booth Road, North Bay, Ontario P1A 4K3

Tel: 705-494-4256

Email: Sarah.Cameron3@canada.ca

Canada

s.19(1)

s.21(1)(b)

Sarah Cameron

Environment Canada	Environment Canada	OR-11828
Date: Nov 6 118	Time: 15:43	Sampled By: CAMERON
Soil: Back ground sample Railway Creek Jack		
Location: Back ground sample Railway Creek Ash		
GPS: N 49° 14.207', W 84° 47.602'		
Analysis: Hydrocarbons		
Sample Type: Grab	<input type="checkbox"/> Composite	
Bottle Type: Amber Glass	Volume: ~ 500 mL of 1L	
Serial #:	Lot #:	Jar

4E 14:27. indicated

when it rains, the contaminated water runs over railway Creek into lagoon 2. Lagoon 2 has a culvert out to the Jackfish River

#20

s.19(1)

s.21(1)(b)

Notes of E.O. Sarah CAMERON

November 6, 2018

Page 2 of 7



Environment and
Climate Change Canada

Environnement et
Changement climatique Canada



Sarah Cameron

Enforcement Officer
Environmental Enforcement Directorate
Ontario Region
Enforcement Branch

187 Booth Road, North Bay, Ontario P1A 4K3

Tel: 705-494-4256

Email: Sarah.Cameron3@canada.ca

Canada

10:45

10:49

10:50

10:52

11:00 - Departed site.
11:20 Arrived @ CN Hornsbyne
Obtained photos @
out fall into Jackfish
River.

Lagoon existing since 1978

- Bad in spring (April)

Lagoon for self-dyked
bdg.

- used to have a
SKIMMER.

" So much oil in ground
here, migrates into
lagoon

-
to speak w us at
Lagoon 2 after we
arrived.

- Lagoon 1 and 5
further down Railway
cres.

distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone or email and delete.

From: George J Collins <grampabug7@hotmail.com>
Sent: August 5, 2021 11:02 AM
To: jaremy.hpayne@bellnet.ca
Subject: Question

#21

Good morning, Gail,

I have a question that you may be able to help me with. Quite some time ago I can across some information that stated/indicated that CN Rail in Hornepayne does not pay for municipal water used by them under some early last century agreement made between them and the Township. Could you update me concerning this matter? Thanking you for any clarification you may be able to provide. Geo.

#22

The information contained in this email message is privileged and confidential and is intended for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone or email and delete.

From: George J Collins <grampabug7@hotmail.com>
Sent: August 10, 2021 9:14 AM
To: Gail Jeremy <jaremy.hpayne@bellnet.ca>
Subject: Re: Question

Good Morning Gail, thank you for this information and the update to my June30th, letter to Mayor and Council this morning.
 One more small question concerning CN, am I correct at assuming that they pay at the current, pro rata rate. Regards, Geo.

George J. Collins

From: Gail Jeremy <jaremy.hpayne@bellnet.ca>
Sent: August 9, 2021 02:14 PM
To: 'George J Collins' <grampabug7@hotmail.com>
Subject: RE: Question

Good Afternoon George,

CN Rail does pay water and sewer charges to the Township.

Regards,

Gail



Gail Jeremy
 CAO/Clerk
 Township of Hornepayne
 68 Front St P.O. Box 370
 Hornepayne, ON P0M 1Z0
 Tel: (807) 868-2020 x 205
 Fax: (807) 868-2787
 Email: jaremy.hpayne@bellnet.ca
 Web: www.townshipofhornepayne.ca

~ We are a municipality focused on providing value-added experiences to our citizens, visitors, and investors.~

~ Our quest for continual improvement and quality of life will make us the Township where people want to live, work, visit and invest. ~

The information contained in this email message is privileged and confidential and is intended for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are hereby notified that any dissemination,

~ Our quest for continual improvement and quality of life will make us the Township where people want to live, work, visit and invest. ~

The information contained in this email message is privileged and confidential and is intended for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone or email and delete.

From: George J Collins <grampabug7@hotmail.com>
Sent: August 11, 2021 12:26 PM
To: Gail Jaremy <jaremy.hpayne@bellnet.ca>
Subject: Re: Question

Good Afternoon Gail,

I thank you for the info you just sent and make inquiry concerning the exception of one agreement you state. May I ask what agreement would that be. Geo.

George J. Collins

From: Gail Jaremy <jaremy.hpayne@bellnet.ca>
Sent: August 11, 2021 11:57 AM
To: 'George J Collins' <grampabug7@hotmail.com>
Subject: RE: Question

Good Morning George,

With the exception of one agreement, CN pays the same rates as all property owners as listed in our Water & Sewer Rate By-Law (attached).

Best Regards,

Gail



Gail Jaremy
CAO/Clerk
 Township of Hornepayne
 68 Front St P.O. Box 370
 Hornepayne, ON P0M 1Z0
 Tel: (807) 868-2020 x 205
 Fax: (807) 868-2787
 Email: jaremy.hpayne@bellnet.ca
 Web: www.townshipofhornepayne.ca

~ We are a municipality focused on providing value-added experiences to our citizens, visitors, and investors.~

~ Our quest for continual improvement and quality of life will make us the Township where people want to live, work, visit and invest. ~

#24

320

Re: Question

George J Collins <grampabug7@hotmail.com>

Thu 12/08/2021 08:41 AM

To: Gail Jeremy <jaremy.hpayne@bellnet.ca>

Good Morning Gail,

I consider such an agreement public information, as such I object, but I will not dispute. I will fill in the attached MFIPPA form and along with the five-dollar (5) application fee, mail them to you later today.

Thank you for including the form. Geo.

George J. Collins

From: Gail Jeremy <jaremy.hpayne@bellnet.ca>
Sent: August 12, 2021 07:26 AM
To: 'George J Collins' <grampabug7@hotmail.com>
Subject: RE: Question

Good Morning George,

That type of request would have to be processed through the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) Act process.

If you would like to proceed, please complete and return the attached MFIPPA request form with the \$5.00 application fee.

Thank you.

Wishing you a great day.

Gail



Gail Jeremy
CAO/Clerk
Township of Hornepayne
68 Front St P.O. Box 370
Hornepayne, ON P0M 1Z0
Tel: (807) 868-2020 x 205
Fax: (807) 868-2787
Email: jaremy.hpayne@bellnet.ca
Web: www.townshipofhornepayne.ca

~ We are a municipality focused on providing value-added experiences to our citizens, visitors, and investors.~

#25

Request Form

My Copy see PDF

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

file for additional
Doc - sent with this request

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 Hornepayne</i>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------

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: <i>Collins</i>
First Name: <i>GEORGE</i>	Middle Name: <i>J</i>
Address: (Street/Apt. No./P.O. Box/R.R. No.) _____	City/Town: <i>Nipigon</i>
Province: <i>Ont.</i>	Postal Code: <i>P0T 2J0</i>
Telephone Number (Day): (807) <i>887-3328</i>	Telephone Number (Evening): () <i>SAME</i>

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.)

Canadian National Railways and other responses received as referred to in 3.0 of Public Consultation (EA) Study Report (2004)

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 Collins</i>	Date: <i>Jan 30th 2018</i>
--------------------------------------------------------------------------------------------------------------------------------------	----------------------------------	----------------------------

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.

① PA17-198 - Your appeal with Ministry of the Environment

#26

Flora Hoffman <Flora.Hoffman@ipc.on.ca>

Wed 2017-05-24 10:17 AM

To: grampabug7@hotmail.com <grampabug7@hotmail.com>;

Hello Mr. Collins

I am the mediator who has been assigned to the above appeal. I contacted your home number and left a message for you but I'm not sure if I have the correct number.

Can you please contact me at the number listed below to discuss your appeal further.

Thank you

Warm Regards,
Flora Hoffman
Mediator/Investigator

*Tribunal Services Department
Information and Privacy Commissioner/ Ontario
2 Bloor Street East, Suite 1400
Toronto, Ontario M4W 1A8
email: Flora.Hoffman@ipc.on.ca
Direct Tel: 416-326-3929
Toll Free: 1-800-387-0073
Fax: 416-325-9188
TTY: 416-325-7539*

CONFIDENTIALITY NOTICE:

12

#27

2. Minutes of meetings between Hornepayne, [specific company] and MOE concerning contamination on and off [specific company] property.
3. Other related correspondence (all).

DECISION:

The town issued a decision indicating that they searched its records and does not have records in its care and control relating to the request.

APPEAL:

The requester (now the appellant), appealed the town's decision.

RESULTS OF MEDIATION:

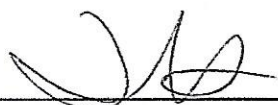
During the mediation, the mediator had several discussions with the appellant and the town. The mediator discussed the request and the town's decision.

The appellant raised the issue of search, articulating his belief that further records may exist.

The mediator conveyed the appellant's concerns to the town. The town agreed to conduct a secondary search. The town issued a supplementary decision letter to the appellant and provided the appellant with further records.

After reviewing the information, the appellant subsequently decided that he no longer wished to pursue this appeal.

Accordingly, this file is now closed.



Flora Hoffman
Mediator

August 8, 2017

#28

Ministry of the Environment
and Climate Change

Ministère de l'Environnement et de
l'Action en matière de changement
climatique



Freedom of Information and
Protection of Privacy Office

Bureau de l'accès à l'information et
de la protection de la vie privée

12th Floor
40 St. Clair Avenue West
Toronto ON M4V 1M2
Tel: (416) 314-4075
Fax: (416) 314-4285

12^e étage
40, avenue St. Clair ouest
Toronto ON M4V 1M2
Tél.: (416) 314-4075
Télééc.: (416) 314-4285

November 14, 2017

George Collins
Box 883
Nipigon, ON P0T 2J0

Dear George Collins:

RE: ***Freedom of Information and Protection of Privacy Act Request***
Our File # A-2016-04303

This letter is further to your request made pursuant to the *Freedom of Information and Protection of Privacy Act* for records relating to 58 Front St, Homepayne.

On the basis that the third party made no submissions, the records and previous decision of the Information and Privacy Commissioner (the IPC), it is my decision to provide you with partial access to the information as personal information of individuals have been removed to protect privacy (Section 21(1)(f) of the Act).

The Ministry is of the opinion that the records are the result of technical and/or scientific study (part one of the IPC's three part test) and the information was supplied explicitly in confidence. The third part of the three part test (harms) is not successful as the third party has not provided detailed and convincing evidence as to the harms that are likely to occur should the information be released.

Since the third party has not consented to disclosure of the records, it has 30 days to appeal the Ministry's decision. During this 30 day period, the records will not be disclosed.

You may request a review of my decision by contacting the Information and Privacy Commissioner/Ontario, 2 Bloor Street East, Suite 1400, Toronto, ON M4W 1A8 (800-387-0073 or 416-326-3333). Please note that there is a \$25.00 fee and you only have 30 days from receipt of this letter to request a review.

If you have any questions regarding this matter, please contact Patrick Chan at patrick.chan@ontario.ca.

Yours truly,

A handwritten signature in black ink, appearing to read "Janet Dadufalza".

for Janet Dadufalza
FOI Manager

Cc: Flora Hoffman, Office of the Information and Privacy Commissioner/Ontario

A29

Client Details

Canadian National Railway Company
Mailing Address: 633 Creditstone Rd, Concord, Ontario, Canada, L4K 4N2
Physical Address: Concession: , Plan: , 633 Creditstone Rd, Vaughan, City. Regional Municipality of York, Ontario, Canada, L4K 4N2
Telephone: (905)669-3377, FAX: (905)760-3450, email: nick.coleman@cn.ca
Client #: 8288-53DLMV, Client Type: Corporation

Site(s)

Site Details

Canadian National Railway Hornepayne Yard
Address: Concession: , Plan: , 58 Front Street, Hornepayne, Township, District of Algoma, P0M 1Z0
District Office: Sault Ste. Marie
Site #: 7802-5T2K38

Incident Information

Incident Summary: Denied inspection.
cannot be longer than 60 characters

Incident Description: On June 28, 2007 P O's David Dominelli and Ron Dorscht met with David Sutherland of Canadian National Railway Company and Tony Gallo with KGS Group. The meeting was scheduled to complete inspections of the two sewage works operated at the CN Hornepayne Yard for the treatment of diesel contaminated groundwater. A certificate of approval was issued on October 21, 1998 for one of the sewage works operated at the yard. The approved system is referred to as the West End Plant as it treats contaminated groundwater from the West end fuelling stand. The second sewage works does not have a certificate of approval, this system is referred to as the East End Plant. An inspection of the West End Plant was carried out by DD and RD in the company of Mr. Sutherland and Mr. Gallo. The inspection involved visually observing the works in operation and reviewing the conditions of the issued certificate of approval for compliance.

Following the inspection of the West End Plant DD indicated that he would now like to move on to inspect the East End Plant. At this time Mr. Sutherland indicated that he allowed an inspection of the West End Plant as the Company holds an approval for that sewage works but indicated that he would not allow a formal inspection of the East End Plant as the Ministry of the Environment does not have jurisdiction on the site because there is no approval issued for the East End Plant. Mr. Sutherland indicated that the system operates very well and that the same monitoring and inspection program as required by the certificate of approval for the West End Plant is followed at the East End Plant. He indicated that he would like to show DD and RD the system but only if no formal inspection was completed. He indicated that the Company would not want any formal written followup or direction related to the tour he would provide. DD informed Mr. Sutherland that if DD or RD were to view the works it would be done as an inspection to assess compliance with the Ontario Water Resource Act. Mr. Sutherland indicated that if DD and RD were going to conduct a formal inspection that he would not allow DD and RD to observe the sewage works. Mr. Sutherland was again informed that it was the intent of DD and RD to conduct a formal inspection and was then asked if he was denying access. Mr. Sutherland indicated he was denying access if an inspection were going to be completed.

Inspection of the East End Plant which Mr. Sutherland indicated was operated at the site was not completed as access to the works for the inspection was denied by Mr. Sutherland.

Links & Comments:

Attachments Names:

Date & Time of Incident **Incident Date Confirmation? Actual**
2007/06/28 09:30

Source Type:

Sector Type:

Nearest Watercourse:

Watershed Category