

Oct 1st, 2021.

How does any government, allegedly, representing the best interests of the community, come up with a proposed “New Official Plan”, that makes no mention of the single most pressing problem in the town.

The proposed Plan with regard to this matter makes no sense, unless one entertains the possibility, that such a plan would accommodate self-serving interests.

Self-serving interests, stretching back decades, cost the rate payers 10.6 million in this matter to date. This matter unaddressed, will result in that cost going up as more damage occurs.

Commentary


George J Collins <grampabug7@hotmail.com>

Mon 27/09/2021 11:20 AM

To: Township Website <info.hpayne@bellnet.ca>; Sarah Vereault <svereault@jlrichards.ca>

Cc: Michael Gravelle MPP <mgravelle.mpp.co@liberal.ola.org>; Crystal.DePeuter.506@parl.gc.ca <Crystal.DePeuter.506@parl.gc.ca>; Canadian Environmental Law Association (CELA) <april@cela.ca>; environmentnorth@gmail.com <environmentnorth@gmail.com>; Don MacAlpine <justbusinesssthebook@gmail.com>; Carmen <vezina41@gmail.com>

Bcc: Nipigon PL <nipigonpl@gmail.com>; 'LAVONE GARNET' <landforlife@shaw.ca>

 1 attachments (1 MB)

New Official Plan, Hornepayne..pdf;

To whom it may concern.

I respectfully submit the attached documents as my commentary related to the New Official Hornepayne Plan. I ask for acknowledgement upon receipt. Thanking you in advance for your consideration of the same.

Geo.

(1)

Proposed New Township of Hornepayne Official Plan to 2040.

As Stated, I find your proposed "Township of Hornepayne Official Plan", which outlines policies and development in the Town up to the year 2040, inexcusably and sorely, deficient with regard to the CN pollution matter, which you are aware of.

In your Plan, with the exception of 4.7, which is a non-specific generalization, you completely avoid the issue of the environmental disaster on CN property. The full extent and degree of which, remains undetermined, but studies CONFIRM, it is in fact extreme. The results of which I contend, have cost the ratepayers ten point six (10.6) million dollars, to access a new water source. The most contaminated sites are surrounded by occupied residences. The pollution has spread beyond CN's property lines, to private and public property. Currently, the total area of concern is about one third that of the Town. It is a disgrace that your proposed Plan remains silent on this issue.

While I recognize your options through a (CIP) in 2.5 para (4), the community may undertake a Community Improvement Plan, there is nothing making direct reference to this matter. In 4.3.2 page 25, your plan commits to protecting the Swamps (yes the Swamps) a priority that pales in comparison, to the urgency of dealing with this disaster that originates on CN's property.

Based on common sense and the facts, any new plan for moving forward, if comprehensive, must of necessity, address this serious pollution matter and recognize the consequences it has had on the community. Your proposed plan makes no mention of the matter at all: in so doing it disregards, volumes of evidence, documenting the severity of the problem. The plan clearly indicates that the long term status quo, at the Municipal Offices, of remaining silent on this matter to protect CN Rail, will continue, and place their interests above those of the community. As such, your proposed plan constitutes another breach of trust and failure of the Town Authority, to provide leadership and action for the community on this matter, as your office requires.

There was a presentation done by KGS, CN's contractor on Sept 18, 2002, to the Township Council (see attached copy) that made clear the astronomical amount, of unrecoverable pollution, in the environment. Consequently, beyond that date, there was and still is no excuse for lack of action by the Township, with regard to this matter.

(2)

Shortly after the power point presentation, KGS also submitted to the Township, their Hydrogeological study, dated Sept 20th 2002, which determined that all ground water in the lower Hornepayne valley was interconnected; as such, it would all become polluted. The Township, if it has not, can obtain from the MECP, the KGS annual Environmental Activities Final Report (2015 was the last one I requested and received) it comes complete with mapping and test results, done on CN's property, that confirmed all of the above. The most polluted areas are surrounded by occupied residences, most of which, due to the lack of information, are unaware of the extent, degree, or potential health risks associated with the pollution around them, that responsibility to inform rests with the Township and CN Rail.

The new plan you propose, which will be in effect until 2040, goes a very long way in supporting and protecting CN, by failing to include any information, or mapping, concerning these grossly contaminated areas. Your section 4.7.1 Contaminated Sites, does nothing to reveal the gravity of the matter, or identify the specific areas of most concern, which have the greatest potential of health risks, associated with them. Your failure to include this crucial information, that you possess, indicates a blatant disregard for the welfare of people living near and on this pollution. Over the decades and as currently indicated in your proposed plan, the Township's efforts to protect CN Rail with regard to this matter, has at times strayed into the outer limits of the irresponsible and irrational.

No plan can claim any value for the community, nor is it deserving of any regard from the community, without due diligence given to this matter. A credible, new plan would of necessity, provide for scrutiny of all pertinent information in your possession, concerning this matter, and unlike the previous plan, it would give direction going forward, with a clear emphasis on supporting interests of the people FIRST, as an absolute PRIORITY. In my opinion, failure to include a verifiable commitment to address and protect the interests of the people, in your proposed plan, automatically reduces the document to nothing more than a self-serving contrivance.

I contend, the next official Hornepayne plan must include all relevant facts with regard to this matter and that it further outlines a course of action to be implemented immediately. That action would as a primary step include seeking LEGAL OPINION, with a view towards obtaining redress proportionate to the damage done. If necessary, the magnitude of redress might very well include costs of relocating all residents north of the CN tracks, to other non-contaminated areas and zoning that polluted land as industrial.

(3)

In conclusion, I also note that the Hp Cn omissions in your proposed plan, offer a mirrored reflection, of how far afield the Township's position is, in comparison to other communities in similar situations. I refer you to the precedence set by the Town of Cartier against CP Rail, 2011.

I thank you for this opportunity to participate and put forward the facts, with regard to this matter.

George Collins 

Cc to: Mr. Michael Gravelle MPP for Superior North
Mrs. Patty Hajdu, P.C.M.D. MP Thunder Bay Superior North
Ms. Maneka Kaur, Canadian Environmental Law Association (CELA)
Environment North Thunder Bay
Mr. Don MacAlpine , Author, Environmental Advocate Calgary
Environmental Advocacy, Mrs. Carmen Patey, Sudbury.

Maureen Burtch - Re: CN Hornepayne M^{re} 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

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