

PDF #63

WAITING

hpcnomissions.ca

Aug 21st, 2024

For interested parties.

For interested parties, I respectfully submit the following for your information and evaluation.

Updates

Mr. Hunter's latest email indicates that he is working on our report. It must be remembered that it was upon this KGS Hydrogeological study submitted in 2002 that the township made the decision to go to Moonlight Lake for water, at a cost of 10.6 million. I maintain that the township contracting with KGS or (CN,s clean-up contractor) to do this study constituted a serious conflict of interest. Also I continue to believe that the findings of the KGS investigation were dubious. Mr. Hunters report is the most significant matter on the table currently; it will determine the course of action moving forward. We wait. Please see his latest email attached.

As of this date we still have one matter pending in appeal. That being to obtain a copy of CN,s response to my request for a copy of the Deal between them and the Township. Via this agreement CN does not pay the same water and sewer rates as the towns' people. I am inclined to believe they don't pay anything at all.

While I have no expectations of any grand revelations should we prevail and get a copy, these appeals provide us with the township and CN,s specific arguments, for our own evaluation. Also, I view these appeals as indicators of the extent to which we will have access to info. moving forward, under this one sided system.

The decision of Adjudicator Sami May 31st, 2024 as seen in the previous PDF #62 provides us with a picture for consideration. Page three (3) of Order MO-4528

states there was a dispute between the township and CN over CN's sewer account. Also it states "legal action was well within contemplation in the circumstances".

So, "contemplating these circumstances" as the eminent adjudicator puts it, we can conclude the following. After decades of the Townships complicity to hide CN,s pollution within the town and prevent public uproar, BIG DADDY, full of righteous indignation was going to sue the Town because he wasn't pleased with his sewer acct. Not often stuck for words, I can only respond, "REALLY"?

I ponder why they didn't call big daddy's bluff? If he wanted to go legal why not let him. Then go legal with it all, pollution matter included, undoubtedly it would have cost big daddy millions more than he stood to gain in the end.

However there would have been complications, such as years of complicity that would have to be explained. Other consequences would include the end of special privileges for the special few, no more VIP List at CN, no more advancement for the devoted, no more special hiring benefits for some families, no more protection for the insiders.

The Final Decision and Action. They gave CN a special deal. They passed a By-Law, called it a Settlement and then classifying it as "The Record", it could be kept under wraps indefinitely. End result, the status quo was maintained, which resulted in more abuse for the community for the benefit of the few.

As previously outlined in PDF #60 and #61, I requested that the mayor and council ask CN rail if there are any health related issues for people living on or near their pollution, they refused. On June 28th, 2024 I sent a letter to one Aaron Stadnyk, Manager Environment for CN Rail, asking this same question. Sadly, I report to

this date there is no response from this prize piece of genetic material. Typically, my past efforts starting in 2007, to communicate with CN Rail concerning this matter have never gotten any response. Please see the attached letter.

As indicated in PDF #61, on March 24th 2023 I again requested assistance in this matter from Carol Hughes and Mantha. After nineteen months there has not been any response from either of these parties to that request. As it turns out, after the Mortimer Investigation (you can Google it if you're not familiar) we don't need or want help from Mantha, or his type. On the up side, I have recently again been in touch with Lise Vaugeois and Patty Hajdu offices and they continue to follow the matter and are willing to assist where possible. But before we move in any direction we must first wait for and see Mr. Hunter's report.

Matters for Consideration

On Tuesday July 23rd 2024, the Chronicle Journal had an article stating the Canadian National Railway Co. has been ordered to pay 8 million in fines for environmental offences related to two 2015 train derailments". CN pleaded guilty to two charges under the Fisheries Act. The thirty million civil lawsuit they are facing will proceed and undoubtedly it will be successful, to what degree depends upon the courts.

Comparatively, we have documentation that an equivalent amount of pollution has been released into the environment within the community of Hornepayne. The total area contaminated still hidden from the towns people, to this date not one charge laid, not one official complaint made by the current or previous town administrations, not one word of this matter in the new town plan, legal action, rehabilitation and compensation not even on the radar screen. The current Mayor

and Council like their predecessors, continue to do what they can to protect CN, their actions contrary to their mandate and the best interests of the community.

On Dec 28th2022 our Mayor was on the front page of the Thunder Bay Chronicle Journal championing the cause for indigenous involvement in municipal politics, my congratulations. However, one might consider her actions hypocritical considering this same person refuses to ask CN Rail if the people who elected her are facing any health risks from CN,s pollution. Mayor Fort and Council we certainly would appreciate a little of that enthusiastic involvement in municipals politics to get all the facts in this matter on the table.

I lament, go back as far as you like in this matter and the root cause of the inaction and lack of leadership is always the same, selfish self-serving motives. See the Article attached.

This is the same Mayor and council who on the 12th of May 2022 retained the law firm of Edmond Harnden, with expertise in environmental law, to look into the concerns I raised. They did look into it and then the mayor and council went silent. They withdrew their commitment to provide us with that comprehensive report, BIG WHY HERE. Instead what they did do was to use this law firm as their legal counsel to deny the people of Hornepayne the right to see the “under the table deal” that was made with CN Rail concerning water and sewer rates. These are the same people who claim to be I open and transparent, concerned about every expense. “REALLY”? I conclude just more of taking the community in the wrong direction.

I have grave concerns with regard to the direction in which the present representatives of the "Corporation of the Township of Hornepayne" are moving the town. Very clear to me, these people and a select few intend to keep Hornepayne in this failed servitude to CN Rail only to fulfill their professional goals and ambitions. The alternative to this servitude would be to place the community ahead of their personal agendas, eliminating the need for any subjection to any corporate interests, but that is not going to happen. There is environmental legislation on the books that provide serious penalty for violators and redress for victims. In this case the established, large amount of pollution in the ground, on public and private property, most of which is unrecoverable, will be problematic for the community long into the future. A factor for consideration is the reputable damage done to the community, only one head of the hydra; the water and sewer rates in Hornepayne are double that of the closest community. It is reasonable to predict that more people in the future will choose to commute for work and live elsewhere. Lack of motivation to protect and represent the community within the township offices is the number one factor obstructing the way forward to a better future for Hornepayne, minus servitude to CN.

They, the mayor and council refuse to take any meaningful action and for my part I refuse to finance their in-action, to cover-up the corruption in this matter any longer. On March 29th 2023, I forwarded a notice to these people, which reflects the depth of my concern. Please see the same attached.

On the lighter side

The Reality and The Fantasy. Here is a suggestion to the mayor and council, considering that first came the railroad then the town built up around it, we can declare CN Rail in Hornepayne to be the absolute center of Ontario. Considering the above, also that it has been established beyond any doubt that the absolute center of Ontario is one hundred percent polluted, from the east end to the west end, from the north side to the south side. As such an overview of these circumstances indicates that the center of Ontario constitutes an unrivaled example of "gross corporate failure to comply" and "decades of successful administrative cover-up". These facts being established I view the entirety of the matter as an opportunity of international magnitude. I suggest to the mayor and council that they offer free tours, guided by eminent officers of CN Rail. With hugs and kisses for all, high end balloons included, also in the tour package a free see through plastic bear containing a sample of Corporate Polluted soil from the Zero Point Centre of Ontario. A certificate of authenticity signed by the mayor would of course be included.

In conclusion, I provide a page out of CN's preamble to be found on their site, also the current Township Administrations "Town Core Values Statement", after all from time to time we all need a jolly good laugh. Both are attached.

Sincerely, Geo.

1
Nipigon Ont.
PO Box 883,
POT 2J0

June 28th 2024.

Mr. Aaron Stadnyk, P Eng,
Manager Environment CN Rail.

Dear Mr. Stadnyk,

I am a retired Employee, 760589-2 Collins, George J.

On Aug 30th, 2007 I made a request for info. from CN Rail and got no response.
On March 25th, 2008 I had a lawyer make a request for info. from CN Rail and got no response. On Jan 27, 2014 I sent emails toCONTACT@CN.ca I did make a connection, which only lasted until I identified the location and the source of my concerns, at which time your representative discontinued the exchange.

The Township of Hornepayne claims environmental matters such as your pollution in the center of that community, "largely lie outside the townships jurisdiction", on this fictitious claim they refuse any action.

Consequently, sir, I put my questions before you and remind you that among the people living on and near your pollution are children. I ask that you demonstrate a higher degree of concern than the township in your response.

I request, as per your obligations under the Ontario Environmental Protection Act, to provide me with any information you have concerning the following.

Any studies or documentation that examines whether there are any health impacts from CN's historical spills in the Hornepayne area and any ongoing environmental monitoring?

Any studies or documentation that establishes the outer limits, of the contaminated area.

11
Have you provided any updates to the Township of Hornepayne about CN's progress in remediating the site?

I have read your annual reports to the MEPC which do not address the above questions, no need to send me a copy of them.

Thanking you in advance for your attention to my concerns and looking forward to your response.

Geo J. Collins.

121 Fourth St. Nipigon Ont.

cc.

The Honorable Patty Hajdu, MP Thunder Bay- Superior North

MPP Lise Vaugeois Thunder Bay - Superior North

Environment North Thunder Bay.

Mayor and Council Township of Hornepayne.

CN Rail fined \$8M for oil spills

THE CANADIAN PRESS

TIMMINS, Ont. — Canadian National Railway Co. has been ordered to pay \$8 million in fines for environmental offences related to two 2015 train derailments.

The Montreal-based railway was ordered by the Ontario Court of Justice on Monday to pay the fines after pleading guilty to two charges under the federal Fisheries Act.


The charges relate to two separate CN train derailments that occurred on Feb. 14, 2015 near

Gladwick, Ont., and March 7, 2015 near Gogama, Ont.

In total, the two derailments released more than 3.6 million litres of crude oil into the environment. Some of the oil reached area wetlands as well as Upper Kasasway Lake, the Makami River, and Minisinakwa Lake.

The two derailments occurred after a piece of railway track broke under the weight of the passing train. Federal enforcement officers concluded CN had failed to exercise due diligence in maintaining the tracks.

A-6
Tuesday July 23rd 2024
CHRONICLE JOURNAL



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SUBMITTED BY ONTARIO GOOD ROADS ASSOCIATION

Hornepayne Mayor Cheryl Fort says it's important for Indigenous people to be involved in municipal politics "to ensure Indigenous communities and municipalities work together."

Indigenous lens in municipal politics 'important'

BY CARL CLUTCHEY
NORTH SHORE BUREAU

Cheryl Fort is no stranger to being first. The Hornepayne mayor is the first woman to lead her town's council, and very likely the only Northern Ontario female mayor who happens to be a locomotive engineer.

So it may not come as a complete surprise to those who know Fort that she has become the first Indigenous person to sit on the executive board of one of the province's major agencies.

Mayor, Councillors and CAO/clerk,
Township of the Corporation of Hornepayne,
Sept15, 2023.

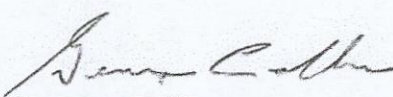
In the matter of CN Rails pollution:
Re. your letter of March 29th, 2023.

Please be advised.

After due consideration, I conclude.
Your continuing refusal to act responsibly and protect the interests of
the community with regard to this matter is disgraceful and
unacceptable.

As such I can no longer, in good conscience, support your
administration with any future monetary remittance. Consequently, I
will be withholding land tax payments on sixty nine (69) third ave. until
matters improve.

I look forward to retracting this decision when you begin to act as
elected representatives and paid employees of the community, which
you are.


George Collins.

Governance

- Governance
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 - [Risk and Business Continuity](#)
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 - [Reporting Violations](#)
 - [Lobbying and Political Donations](#)
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- [Supplier Sustainability](#)

Code of Business Conduct



Code of Business Conduct

Ethics and Integrity

Our commitment to business ethics and integrity is reflected in our focus on continuously improving our governance policies and practices, and establishing clear systems to ensure accountability, risk management and control are embedded across our business.

In our daily activities, we face a variety of issues. Establishing clear, consistent and uncompromising standards and adherence to integral and ethical behaviour ensures that we deal professionally with issues as they arise, always do the right thing, maintain a positive image in all aspects of our business, and encourage an innovative spirit among employees while enhancing shareholder value.

Our [Code of Business Conduct](#) (PDF), corporate governance policies, our [Board Diversity Policy](#), and environmental, health and safety policies frame our values and commitments to delivering responsibly.

Human Rights

Our Policy

Our commitment to uphold internationally recognized human rights is anchored by our [Human Rights Policy](#), which includes the Declaration on Fundamental Principles & Rights at Work by the International Labour Organization (ILO).

We support the Guiding Principles on Business and Human Rights endorsed by the United Nations Human Rights Council in 2011, and have aligned our practices with the UN Global Compact – a voluntary global standard on human rights, labour, the environment and anti-corruption.

The [UN Global Compact](#) (UNGC) is a strategic policy initiative for businesses that are committed to aligning their operations and strategies with ten universally accepted principles in the areas of human rights, labour, environment and anti-corruption. In 2022, CN submitted a [Letter of Commitment](#) to join the UNGC.

(3)

I call upon the Mayor and Council to practice the CORE VALUES they profess, by making the Agreement public and should it prove, to disadvantage the community in any way, I call upon them to rescind the offending agreement immediately.

In the bigger picture, this secret agreement demonstrates a practice of collusion between the Corporation of Hornepayne, and CN Rail. This is the same morally reprehensible policy, within the Township offices, that resulted in the orchestrated (cover-up) of CN's menacing pollution problems for decades.

In 2004, a direct consequence of their pollution and failed township policy of servitude to CN, resulted in the 10.6 million dollars cost to the community to bring clean water from Moonlight Lake. For a community with a tax base of less than a thousand, the cost of that fraud resulted in water rates that are exorbitant, and a major obstacle preventing growth in the community.

Town Core Values Statement

They contend, "Our Core Values are our beliefs. They are what guide our actions. Our Core Values are a statement about who we are as a municipal government. In addition, our Core Values confirm who we are as a Township Council, staff and volunteers. Our Core Values remind us of how we will administer our affairs, deal with issues or respond to people. They will guide our day to day, as well as our long-term decision making".

Actions indicate there is a startling difference between the professed and the practiced, in the Township offices, and for the most part the benefit of that hypocrisy goes to CN Rail. The Township's claim of supporting "local industry", is not something I object to, but the general expectation is that support will be transparent, mutual and beneficial for both parties. But, in reality, the record to date indicates that the Township practices servitude to CN, to advantage the careers opportunities and sentiments of a minority, both at the expense of the majority.

Currently, the new proposed official town plan, made very clear that the Township has no intentions of recognizing CN's environmental disaster within the Town, between 2021 and 2040. True to past practice, this new plan, like the old one, continues to ignore the documented facts, with regard to this environmental disaster. As such I recognize it as plan designed to continue the (cover up) to 2040 and beyond.

One is left to contemplate what future benefits will be bestowed upon the Privileged, Corporation of CN Rail at the expense of the Commoner. The past and present misaligned