

# 16 *Arsenic and Old Tories*

While these other matters were progressing, I became involved in a public health problem which still plagues Ontario. In April 1970, I received a letter from a resident of Deloro, a tiny town in eastern Ontario, complaining that arsenic was being discharged into the Moira River and Lake from an old abandoned refinery. The poison level was so high that cows drinking from the lake had died. The writer went on to say that complaints to Ontario's Water Resources Commission had received no response whatsoever.

I drove down to Deloro and found an amazing sight: 400,000 tons of bright blue tailings covering some fifty acres were lying in a huge dump beside the Moira River. Streams of blue tinted water ran steadily from the dump into the river. And through it all stood long dead trees and vegetation, all petrified by the copper and arsenic. The residents of Deloro were in no personal danger for they all drank well water, but everyone downstream was at risk.

The Ontario Water Resources Commission had said that the safe level of arsenic was 0.05 parts per million but tests of the surface water ran at 0.42 parts per million. And the water at the bottom of Moira Lake read at an incredible and lethal 400 parts per million. Several

medical studies, dating back to 1929, had shown that drinking water with arsenic in it or even swimming in such water can produce cancer. Therefore, I went down to the vital statistics department and examined the cancer rate for that area (Hastings, Frontenac and Prince Edward counties). I discovered that it was rising 75 per cent faster than the rest of the province.

Moira Lake then had three hundred cottages on its shores, eight tourist establishments and two boys' camps. It seemed to me that I had stumbled onto something of terrible and urgent importance. I went to the Legislature and demanded immediate action, but I was astounded by the response.

Dr. C. R. Link, the local Medical Officer of Health issued a statement, "In my opinion and in the opinion of the Ontario Water Resources Commission and the Department of Public Health there is no danger of people developing cancer." Energy and Resources Minister George Kerr said, "The lake water is drunk only by a small proportion of the cottagers . . . and there is no danger involved in swimming." Health Minister Tom Wells said, "The incidence of cancer in Hastings and Frontenac Counties is slightly below the average for the province of Ontario." He went on that "the levels of arsenic in Moira Lake are no longer considered a health hazard." The two ministers also issued a common statement: "There is no evidence to substantiate charges by Dr. Morton Shulman that residents of the Moira River watershed are in danger . . ."

Things simmered down for a few days and then a report was leaked by an unhappy official in the Water Resources Commission which flatly contradicted the reassurances from the two ministers. This report stated that the concentration of the arsenic was ten times the safe level for human consumption. Suddenly George Kerr got the message. In a statement on June 5, 1970, he said that the government was taking action against the

refinery "which will require it to eliminate all leaching certainly this year." He concluded, "We are getting the necessary evidence with the idea of placing the company under a ministerial order. It is also quite possible that we will prosecute the company."

I was quite satisfied with Kerr's statement, but unfortunately I had been totally taken in. No prosecution ever took place. More important, neither did the arsenic leaching cease. Seven years later, after I had left the Legislature, I discovered that the arsenic was *still* heavily running into the Moira system and in 1977 Minister Kerr promised a cleanup for 1978. As of this writing, nothing has been done.

It turned out that Wells' comments about the cancer rates were just about as accurate as George Kerr's original statement. In January 1978, Michael Rychlo, a water quality engineer with the Ontario Ministry of the Environment, published a book called *The Arsenic Papers*. I was not too surprised to read the following:

Claims by one doctor of increased cancer mortality rates in Hastings county due to the arsenic levels in the waters there were dismissed on the basis that the doctor was misinformed as to the statistics. Health officials referred to the publications of Ontario Vital Statistics to show that the claims were unsubstantiated. The health experts listed 77 deaths from all malignancies in 1971 for Hastings, which was supposed to make the rate for that county 83 deaths per 100,000. However, what the experts failed to include was the number of female deaths which was 68. The 77 deaths stated were only for males.

The correct total meant that Hastings did in fact show a death rate higher than the provincial average. If the rates were inspected again for 1972, it would have been demonstrated that Hastings had a death rate from cancer much higher than the Ontario average.

In matters of public health as in politics it is not

enough  
message  
cancer  
alarm

I w  
the h  
Coror  
dange  
street  
duce

ways.  
Ontar  
was l  
had p  
ous  
rails  
poles

I pl  
Legis  
happ  
didn'  
issue  
that  
defec

The  
with  
heavy  
to hi  
resea  
Lewi

In o  
mem  
fish  
stitu  
serva  
are e  
atter

enough just to be right. You must, in addition, get your message to the public. In the case of the arsenic and cancer danger in Eastern Ontario, I failed to reach and alarm enough people.

I was far more successful, however, in a battle with the highways department. Back in my days as Chief Coroner I had become familiar with highway flaws and dangers through an investigation of deaths on Toronto streets. I had fought with the city's bureaucrats to produce improvements in construction of Toronto's freeways. Now as an MPP I noticed with amazement that Ontario's new Macdonald-Cartier Freeway (Highway 401) was being constructed with the very same errors that had plagued Toronto's Don Valley expressway: hazardous and unprotected highway signs, misplaced guard rails with deadly open ends and badly placed light poles.

I photographed these flaws and took blow-ups to the Legislature where I confronted and challenged the unhappy Minister of Highways, George Gomme. Gomme didn't reply directly but to my great delight his deputy issued a statement the next day saying, "It is obvious that Dr. Shulman has been doing his homework. These defects will be corrected." And they were.

These serious efforts to improve society were dotted with episodes of low comedy. In early 1970, reports of heavy metal contamination of Ontario's sport fish began to hit the headlines, partly from my own Moira River research but primarily through the speeches of Stephen Lewis about mercury in the rivers of Northern Ontario. In order to reassure the public, the Liberal and Tory members of the Legislature from the resort areas held a fish fry at Queen's Park serving fish from their constituencies. They invited several hundred MPPs and civil servants. They happily pointed out that "All the MPPs are eating the fish and no one is dropping dead." I didn't attend the feast but I did send my secretary with orders

to steal a fish which we promptly sent over to the S.E. Young Research Laboratories for analysis. The result showed a mercury content of 1.8 points per million, some eight times the safe level.

The response of the Liberal organizer for the fry, Donald Patterson, was to accuse me of putting mercury in the fish. And Conservative cabinet minister René Brunelle said, "Someone at the fish fry that night had taken some of the fish and put it in their pocket. Since people don't normally do that we took the precaution of taking some samples from the dinner ourselves for testing." But the results of these "tests" were never made public, at least to my knowledge. No further fish fries were held at Queen's Park.

Another amusing incident involved public works minister J.R. Simonett. It was an open secret at Queen's Park that everyone who did business with the government was expected to make a donation to the Conservative party. But proving this was next to impossible. I carried out an experiment, listing two printers with Public Works who wanted a share of the government's business. One of them I gave \$500 to donate to the Tories while the other did not make a donation. The former received \$25,000 worth of business the first year and continues to do heavy business with the government to this day, while the other was given nothing. My problem was that at the end of the year my first printer begged me not to name him. He said he needed the work and gave me back my \$500.

I made the best of a bad situation and named the second printer. The ministry explained that he had been overlooked and promptly gave him a \$300 order. But he would never get another one. I gave up that battle, but only after making a total ass of myself. A government employee had brought me a list of the printing firms who were on the favoured list to receive government business and I saw to my amazement that one of them

was  
of  
Tor  
con  
I.  
The  
son  
cau  
anr  
brig  
W  
ing.  
goe  
wei  
ear  
lati  
bre  
qu  
cig  
we  
mc  
we  
E  
erf  
for  
wh  
in  
flo  
an  
ev  
ex  
ne  
a  
ha  
he  
nc

was owned by the Communist party. I made the mistake of pointing out this anomaly publicly and both the *Toronto Star* and the *Globe* responded with editorials comparing me to Senator Joe McCarthy.

I did far better in a sudden raid on Ontario's St. Thomas Psychiatric Hospital. I had received a tip that some patients were going hungry at that institution because of a new incentive system. I drove there unannounced on Tuesday morning accompanied by my bright and aggressive girl Friday, Barbara Hill.

We found that the director of the hospital was attempting to motivate patients by paying them "tokens" for good behaviour and for in-hospital work. These tokens were then used to pay for their food. Those who didn't earn enough tokens were denied their meals. The regulations stated that patients had to pay one token for breakfast and two tokens each for lunch and supper. To qualify for occupational therapy or to buy candies or cigarettes, patients had to earn twenty-five tokens a week. And to take part in off-ward recreation such as movies or bingo, patients had to earn thirty tokens per week.

Patients were paid two tokens for making a bed properly, one token for brushing teeth after every meal, one for dressing properly and another for neat grooming while those earning twenty-five or more tokens a week in this way were allowed ward jobs such as sweeping the floor which paid nine tokens a day.

The problem was that these were mentally ill people and many of them were totally incapable of carrying out even the simple functions required to earn tokens. For example, one man's hands shook so badly that he could never do his bed neatly enough to earn the tokens and as a result was missing two out of three meals in a day. He had reached the point where, as a result of lack of food, he was too weak to work and without working he could not earn enough tokens for his meals.

I was outraged and rushed back to the Legislature to denounce Health Minister Tom Wells who responded:

"This treatment is used with longer term patients who sometimes have lost all initiative. The department has instructed that there is to be a thorough backup program to ensure that no patient suffers physical harm through loss of a meal . . . Shulman's report is typical Shulman - sweeping statements that have no basis in reality at all."

The next day the incentive program was cancelled.

# 49

## *More Asbestos*

My last major battle was over the safety of our drinking water. In December 1974, a member of the Canada-U.S. Great Lakes Research Advisory Board for the International Joint Commission sent me an unpublished report of the Board which stated that the levels of asbestos in our drinking water might produce an epidemic of cancer twenty to forty years down the road. My informant told me that the report was being kept secret for fear of alarming the public about the dangers of drinking water from the Great Lakes. On December 17, 1974, I queried Environment Minister William Newman in the House and he replied, "I don't know what report you are talking about. Metro water is safe to drink." I showed him the report and urged him to undertake a program of upgrading municipal filtration plants so as to eliminate asbestos.

The next day, Newman issued a six-page statement in which he did not dispute the facts I had presented but accused me of "unscientific" conduct in releasing the report which he said I had done only for "self-serving" purposes. The minister said he was "surprised that, of all the members of this House, a doctor of medicine would hesitate to respect the scientific ethic which dictates maximum caution in the dissemination of scientific



data!" He reiterated that Ontario water was safe to drink. Newman was backed up by Professor John Brown, Chairman of the Department of Environmental Health at the University of Toronto, who said, "To attempt to alarm people without proper evidence is a public mischief. From the evidence now available I say that Morton Shulman is behaving in an irresponsible manner and creating a public mischief."

The following day, Newman followed up this broadside by saying that international researchers had concluded, as a result of three different studies on rats, that there was no evidence that swallowing asbestos caused cancer. I found Newman's statement extraordinary because the American Medical Association Journal had just published an article from a study on humans that said that the death rate from cancer of the bowel was higher in areas where the water asbestos level was high.

On January 8, 1975, U.S. researcher Sam Epstein, Professor of Environment at Case Western Reserve University in Cleveland, joined the battle issuing a statement, "There is an overwhelming scientific presumption that asbestos in the water can cause human cancer and will cause human cancer. This position is shared by virtually all the authorities in the field except those in the pay of the asbestos industry." Professor Epstein called for immediate steps to reduce asbestos in drinking water and said that to continue to drink water was a form of Russian roulette. I received further support from Dr. Irving Selikoff, international asbestos expert and director of the environmental sciences laboratory of New York's Mount Sinai School of Medicine, who released a report to the U.S. Senate proving that asbestos passes from drinking water through the bowel into human body tissues.

I obtained an estimate from the Delta Research Laboratories that it would cost \$185,000 to improve asbestos removal to more than 99 per cent from the Toronto

water supply. I appealed to the Legislature, "Newman may be wrong or I may be wrong. If I am wrong and you listen to me, we're going to waste some money. If Newman's wrong and you listen to him, we're going to waste a lot of lives."

Publicly the government was unmoved and minister Newman replied, "So far, no one has shown carcinogenic effects from asbestos in water." Officials in this ministry bitterly attacked me for "frightening the public." But privately the minister had been impressed by the evidence and, on January 9, 1975, he issued orders "to reduce the amount of asbestos in drinking water."

I wasn't impressed that anything effective was going to be done and I purchased a water distiller from Corning Glass. I took my still home but, when I called a technician to install it, I was told that it was illegal for a homeowner to have a still. Furthermore, the federal Excise Department said that I would be arrested if I persisted. I gave details of this stupidity to the press and there was a rapid change of heart. Mr. R.S. Dollard, regional head of the Excise Department, said, "The department's policy has been to discourage people from having stills in their homes for any purpose. However, the policy has been changed in light of the changing times."

I still use my still. Asbestos is still in Ontario's drinking water. William Newman is still a minister of the Crown. And the rate of cancer of the bowel in people drinking water from the Great Lakes is increasing.

Like so many of my fights, this one seemed to peter out with no results. But I never got really frustrated because it seemed that before one battle was over, I was up to my neck in another. There was no time for either frustration or boredom.

In  
gre  
nof  
Un  
U  
cen  
Jew  
doc  
of  
Cat  
yea  
was  
put  
T  
yea  
mo:  
star  
exa  
star  
that  
lish  
The  
and  
the