

Closer look at Moira Lake

Dear Editor:

I delivered this message on behalf of the Moira Lake Property Owners Association Inc. to Centre Hastings Council.

Through intense lobbying with the Ministry of the Environment and the Quinte Conservation Authority we have succeeded in obtaining a Moira Watershed Impact Study including Moira Lake and Stoco Lake. The Moira River study will tell us how high the levels of contaminants are currently in the sediments of both Moira Lake and Stoco Lake. It will provide us with information about what effect, if any, these contaminants are having on the health of the environment and the public. It is the Ministry's intent to retain by April 1999 an additional consultant to oversee the actual study.

We are also lobbying the Ministry of the Environment for a more aggressive implementation of their cleanup and containment of the Deloro Mine Site contamination.

To this end, we are fully supporting the City of Belleville Resolution dated January 18, 1999, and request that the council of Centre Hastings do the same.

Elsie L. Schulz (lake steward),
Moira Lake Property Owners Association Inc., Madoc.

COMMUNITY PRESS

EASTERN EDITION

5 MAR 1999

Who will prosecute the MoE regarding Deloro?

by Steven Tubb

Belleville - For those who have been following the Deloro saga, and many have, it should come as no surprise that there is a surprise in the works. Late in 1997 Janet Fletcher brought a number of charges against the Ministry of Environment (MoE) in effect for allowing toxic materials to enter the Moira River. These charges were brought forward under the federal Fisheries Act and the Ontario Water Resources Act. Subsequently, an additional charge was laid against the MoE by Tom Adams, Executive Director of Energy Probe, stating in effect the MoE was allowing unacceptable levels of radiation from radioactive material at the Deloro site to escape into the surrounding community and environment, in contravention with the Environmental Protection Act. Many court delays stretching over approximately a one-year period later, the parties were back in court in Belleville again on March 30, 1999. During the year-long delay, the Investigations and Enforcement Branch of the MoE looked at the charges, the site, and

the MoE involvement completing the report in July 1998. To date the report has not been made public and neither have the prosecution attorneys and informants seen the report.

The court session at 15 Victoria Street, Belleville, on Tuesday was scheduled up to as late as the end of last week as a "pre-trial" get together to look at the charges, the facts, and to see if there was any opportunity to settle the matter without going to a full trial. The surprise came when the prosecution was informed the Attorney General would be intervening to assume responsibility for the prosecution instead of Doug Chapman and Elizabeth Christie, co-counselors from Sierra Legal Defence (SLD), who worked on behalf of the

informants to bring the private prosecution.

On the weekend SLD filed a motion to oppose the Attorney General's intervention and further issued two subpoenas, one to Ken Graham the MoE Investigator who looked into the Deloro situation and who wrote the report completed in July 1998. The subpoenas were issued so the two witnesses would be present in court on Tuesday in support of the private prosecution's motion to oppose the intervention of the Attorney General.

George Archer, on behalf of the local Crown Attorney, explained the Crown Attorney, Ian Scott, was unavailable to argue against the SLD motion to oppose the Attorney General intervention, and to inform the court he would be available on May 11. Archer suggested the presentation of evidence at this time would not be appropriate.

On behalf of the MoE, Ken Jull suggested the case was in the wrong court and further it was only proper for Scott to be present to speak to the matter. He suggested the decision on which court was appropriate would impact on pre-trial arrangements and dates. Finally he agreed to the May 11 date for addressing the motion brought by SLD opposing the Attorney General's intervention and suggested subsequent scheduling should be done at that time.

Chapman also agreed to the May 11 date provided the informants and the SLD on their behalf remained as the prosecution.

With full agreement on the delay, the case was put over until May 11 and the required subpoenas would be issued.

Environmentalists pleased with Attorney General's response

Deloro - The Environmental Bureau of Investigation (EBI), applauded the intervention of a representative of the Attorney General's office in pollution prosecutions EBI has initiated. EBI's spokesperson Janet Fletcher will attend in a Belleville Provincial Court on procedural matters for the case. EBI is a citizens group, created through the Energy Probe Research Foundation, committed to bringing polluters to justice.

EBI's Janet Fletcher and Tom Adams have both laid charges against the provincial government for pollution from an Ontario government-owned waste site at Deloro in eastern Ontario. The charges relate to discharges of heavy metals, primarily arsenic and cobalt, into the Moira River which flows into Lake Ontario's Bay of Quinte at Belleville, and radioactive waste outside of the site boundary in the town of Deloro. Environment Minister Norm Sterling has described the Deloro waste site as "Ontario's most contaminated land."

"We are pleased that the Attorney General's office has committed one of its most experienced and successful prosecutors, Mr. Ian Scott, to the case and that Mr. Scott will be supported by the necessary resources including an experienced environmental investigator who has been officially assigned to the case," said Fletcher. "We are pleased that the Attorney General's office has agreed to consult with us and our legal advisors, Doug

Chapman of the Sierra Legal Defence Fund and Mark Mattson, Executive Director of EBI, as the prosecution proceeds."

The Attorney General's intervention in the citizen-initiated Deloro prosecution parallels the first-ever joint private/public pollution prosecution in Canada, which was initiated by Ms. Fletcher. That prosecution recently resulted in a guilty verdict against the City of Kingston and its head of environmental engineering. After Ms. Fletcher laid charges against Kingston related to pollution leaching from a former municipal dump into the Cataraqui River, the Ontario Ministry of Environment Investigation and Enforcement Branch conducted an investigation and laid further charges of its own. The trial on all charges was conducted concurrently.

The support of the Ontario Attorney General's office and the Investigation and Enforcement Branch of the Ministry of Environment for citizen-based environmental prosecutions contrasts the approach in B.C. and Alberta where those provincial governments effectively prevent citizens from using existing environmental laws to prosecute polluters by intervening in every case and staying the charges. EBI has every reason to believe that the Attorney General's office will pursue justice in this case.

Information on this and other EBI cases is available on our web site at www.nextcity.com/EBI.

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14 MAY 1999

Results of Health Study released

by Laurie Foley

Deloro - The long awaited results of a major multi-media health study in the Village of Deloro were released this week in a press conference held in its town hall.

A panel of five professionals - Brian Ward, Regional Director for the Ministry of the Environment (MoE); John Steele from the Communications Branch of the MoE; Scott Fleming, a Senior Toxicologist with the MoE; Dr. Lynn Noseworthy, Medical Officer for the Hastings and Prince Edward Health Unit; and Dr. Harry Chaplan from the University of Saskatchewan - broke the news that results of the risk study indicate there are no unsafe exposures or adverse health affects associated with the contamination in the village.

Major findings

Some of the major findings included:

- there was no statistical difference in levels of arsenic in urine between Deloro and the comparison (unexposed) community of Havelock. Also, the levels and distribution of arsenic in urine in Deloro residents were very similar to those of Havelock;

- the levels of arsenic in urine in Deloro are not indicative of any excess levels of illness (as observed by the Deloro/Havelock residents self-reporting);

- there was no demonstrable relationship between arsenic levels in residential yards and garden soils and arsenic levels in urine;

- estimated cancer risks from arsenic contamination are not measurably higher than those for typical Ontario residents;

- overall predicted exposure and risks for arsenic were only slightly greater when compared to estimates the typical Ontario resident. As an example, predicted maximum cancer risk for arsenic in Deloro from all pathways totalled was less than 0.2 times higher than the maxi-

“Although the levels of arsenic and other metals are elevated, all of the analysis and the expert opinions supports the conclusion that under the range of conditions considered in the study it is safe to reside in Deloro and it homes.”

**Scott Fleming
Sr. Toxicologist
MoE**

mum risk for a typical Ontario arsenic exposure (1.17 per 1000 for Deloro versus 0.963 per 1000 for Ontario):

- Predicted cancer and non-cancer risk levels were only slightly higher for Deloro residents than for a person living elsewhere in Ontario;

- radiological exposures and lifetime cancer risks predicted for Deloro residents are comparable and in range of exposures and risks from Ontario background radioactivity;

- the levels of contaminants in drinking water were

all within objectives for safety.

Study's focus

Fleming, who oversaw the procedure, gave a detailed explanation of how the study was conducted.

“The focus of the health study was to answer a few key questions. Number one, are the contaminants from the former mine site present in the village and if so at what levels are they present? What are the possible exposures that residents might have to contaminants and what are the

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likelihood of those contaminants? And thirdly, what are the possible health implications of any such exposures,” said Fleming.

The study, he stated, was carried out in an accurate and technically sound manner with the very best technical expertise available. It was overseen by a technical steering committee which included physicians, toxicologists from the Ministries of Labour, Health and the Environment and experts from the Poison Control Centre.

“The work was peer reviewed by experts from across Canada and the

United States. These people gave very freely of their time. This was to ensure we didn't overlook anything in the study and to have a third party objective to review our work when it was completed to provide for good science and a quality control check,” said Fleming.

The study, he noted, examined total exposure from all the contaminants through a variety of pathways such as indoor and outdoor air, indoor and outdoor dust, soil, drinking water, and backyard vegetables.

“This information was used to provide estimates of exposure for Deloro to be compared against the Ontario population. In addition the environmental and biological sampling, residents provided information by questionnaire and in order to do surveys about personal health, about lifestyle characteristics that would allow us to measure the relationship between possible exposure and health effects,” stated Fleming.

No immediate action

An important consideration in the study, he mentioned, was a mechanism to look quickly at data as it

came in to identify whether or not there was need for any immediate action.

“Our primary concern was for health and safety,” said Fleming, who added that no results showed the need for such intervention.

Down in history

According to Fleming, the study in Deloro was one of the largest ever undertaken in the history of Ontario.

“More than 1,000 samples were collected over the eight month period. More than 170,000 gamma radiation measurements throughout the village so that a complete map of gamma radiation survey could be conducted. Radon measurements, the vast majority of homes participated and the biological monitoring of both Deloro and Havelock, the control community,” stated Fleming.

The MoE worked closely with Dr. Noseworthy at the Health Unit examining cancer rates in Deloro and surrounding areas from 1980-1995.

“The cancers we studied were selected on the basis of whether there was a relationship known in the literature between the contaminants that were studied and the types of cancer,” explained Fleming.

It was estimated that roughly 80 percent of lifetime exposure to arsenic in Deloro is from the normal Ontario “food basket” as compared to roughly 4 percent for soil and indoor dust combined. The combined risk from soil, indoor dust and home garden produce is 1/10th that of the regular Ontario “food basket”. It was found that the risk level for each of the soil and indoor dust, and backyard vegetable pathways were in the range which was considered negligible. Furthermore, the epidemiological review of cancer incidence and mortality data in Deloro and surrounding areas found for the cancers studied, no incidence or mortality rate was high enough to warrant more detailed analysis of the statistics.

Although findings did show that there were elevated levels of arsenic, cobalt and lead in soils and above-background levels of other contaminants including radon and gamma radiation in some areas of the village, Fleming maintained they were manageable.

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EASTERN EDITION

MIDWEEK

24 JUL 1999

DR - 1 + 1. A

Deloro resident not happy with Health Study results

Feels too many questions were left unanswered

by Laurie Foley

Despite the release of Deloro's Health Risk Study results last week, not all residents are buying into the opinion that it is a safe place to live.

Brenda Brett and her late husband Rick purchased their dream home in the quiet village ten years ago and quickly became involved in the community.

"(We) considered ourselves lucky in the choice

of our new home and the pleasure of good neighbours," said Brett.

"It is like kissing someone you love and opening your eyes to discover that their face is covered with maggots."

Brenda Brett

But with the upheaval that was to follow caused by the cleanup efforts and media attention, things soon changed.

"The best analogy I can produce regarding the re-

cent upheaval of the lives of everyone concerned is that it is like kissing someone you love and opening your eyes to discover that their face is covered with maggots," compares Brett.

She feels the Ministry of Environment's "slick and expensive presentation" on Thursday, July 22 leaves only more unanswered question.

"Not the least of which is why they (MoE) have been sitting on their hands since this problem was identified over 40 years ago," said Brett. "The Ministry of the Environment guidelines set in their own 1996 report and currently in force clearly state that arsenic in excess of 25 ppm poses a threat to human health and to the environment. Yet the result of this health risk study declare that our village is safe in spite of the fact that our reports show levels of arsenic which vastly exceed their own guidelines."

In the individual property results that every household was given, Brett pointed out that the arsenic level in her back yard was measured at 600ppm.

"I am at a loss to understand how the government can reconcile these two documents," said Brett.

Although it provides a small comfort to know that her community is safe to live in, Brett stated it does not make up for the mental anguish people residing in it have had to face by the "inability of the Government to identify, contain and

clean up the site before our health was in question".

"If the Ministry of the Environment has acted upon advice received all those years ago as a result of similar concerns, the cost to clean up this mess would have been minuscule compared to the proposed budget we are now faced with," said Brett. "Honest hardworking people have been forced to suffer financial loss regarding property values as a result of Government bungling. Their study fails to answer our concerns regarding our capitol loss as the result of contaminants on the site and in surrounding residential areas nor does it offer anything more in the area of concrete proof of remediation than it has over the last several decades."

Brett stated that she plans to pursue the matter by whatever means necessary be it private, public or through the courts.

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Environmental Data Manager hired for Hastings County

Info will be used for planning decisions and development

Waterweb announced last week the hiring of Melanie Blamire as the new Environmental Data Manager for Hastings County.

Blamire is a recent graduate of the University of Guelph and has worked on a number of projects with the local Conservation Authorities. During the next six months, Blamire will be working out of the Hastings County Planning Office to collect information about environmental studies and data that pertain to Hastings County.

"Communities have been concerned with how that can come to terms with the environmental data associated with their jurisdiction," said Mark Henry, President of Waterweb.

"The Environmental Data Manager Program addresses their questions of where do we start, with answers that will give residents a sense that they finally have a place where they can store and retrieve environmental data.

Blamire will be contacting various agencies and organizations to find out what type of environmental data they collect. The information about environmental data and studies collected by Blamire will be recorded in a meta database or catalogue that will become a valuable tool for planning decisions and development of the Hastings County Groundwater Database. This meta database will be housed at the Hastings County Planning Office where the Environmental Data Manager will be able to conduct searches of the database for interested parties. Blamire will also be investigating the feasibility

of establishing a centralized service for environmental records for Hastings County residents.

Plan to attend Town hall meetings hosted by the Environmental Data Manager in Madoc and Bancroft later this summer. The purpose of these meetings will be to gather feedback from Hastings County residents on environmental issues that are of concern to them and to promote the initialization of Millennium Eco-Community Projects in Hastings County. Blamire encourages any groups or organizations that have done environmental studies or collected environmental data in Hastings County to contact her at the Hastings County Planning Office. She can be reached by phone at 966-6712 or by e-mail at HastingsEDM@hotmail.com.

Last May, Hastings County signed an agreement with Waterweb to develop a groundwater database for the County. The Environmental Data Manager Program evolved as a natural complement to the Waterweb's Groundwater Database that will allow Hastings County to gain a broad perspective on the environmental information available for their area. The Environmental Data Manager Program has been made possible through a six month job creation partnership between Hastings County, Waterweb and Human Resources Development Canada.

"This job creation partnership provides Hastings County with a unique opportunity to develop a library of environmental information relevant to Hastings County at no cost to the community," said Dorian Chlopas, EDM Coordinator for Waterweb.

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31 JUL 1999

PC's 1d12

MoE establishes action plan for Deloro cleanup

by Laurie Foley

With the multi-media health risk study now complete, the Ministry of the Environment has established an action plan to deal with issues that were addressed.

Among them is maintaining drinking water safety. The MoE has vowed to continue monitoring the water supply and has increased monitoring of the Deloro communal well as part of

the provincial Drinking Water Surveillance Program (DWSP). According to a release from the government branch, the program 'provides detailed and ongoing documentation on the progress and performance of municipal water treatment plants across the province. The program detects subtle changes in water quality and as such acts as an alert system, notifying authorities of an exceedance of the Ontario

Drinking Water Objectives.'

Homes that were found to have radon gas in excess of the 1977 Federal/Provincial Task Force criterion will also be dealt with.

'We'll be providing residents where radon gas was somewhat elevated to either do a follow up or do remediation,' said Brian Ward, Regional Director for the MoE at a press conference in Deloro on July 22.

Radon gas is an odourless and colourless radioactive gas that comes from the natural breakdown of uranium. It can be found in high concentrations where soils and rocks contain uranium, granite, shale or phosphate or in soils contaminated with certain types of industrial waste such as by-products of uranium or phosphate mining. Radon gas, in confined spaces, can be a health hazard and is associated with lung cancer.

A report given to media explained that none of the measured values exceeded Health Canada's radon guideline. 'Radon levels were all within the range of naturally occurring levels typically found across Ontario. The Ministry has made the commitment to work with all residents with radon approaching or in excess of the 1977 criterion to reduce exposure. This

could involve additional monitoring and/or the installation of radon gas venting systems.'

Three small pockets of land covering an area of no more than a few square metres will be removed as well. These areas showed slightly elevated gamma radiation levels and will be placed on the mine site to reduce the potential spread of radioactive contamination in the environment. This soil will be dealt with in the site remediation program. The vacant lot adjacent to the entrance to the mine site will also be dealt with.

In preparation for the remediation work set to start in the fall of this year, the MoE will begin fencing the mine site, including the former Galloway property. 'The Ministry has made it clear through fencing and warning signs that trespassing on the mine site is strictly prohibited,' stated a report from the branch. 'There are some areas on the mine site where very high levels of arsenic (much higher than the village exist). There are also areas of radiation from low level radioactive waste materials. Trespassing on the mine site property prior to completion of the remediation work was identified in the study to result in a significant increase in risk. The Ministry will upgrade the fencing and signage of the mine site property.'

The total cost for implementing the action plan has been pegged at \$1.66 million according to Ward.

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PB 1 + 3

Reeve feels survey is redundant

by Laurie Foley

A special Marmora and Lake Council meeting was held on Tuesday, August 3 to discuss the fate of a Deloro resident survey.

Council passed a motion at their last meeting to distribute the survey in tax bills to the home owners there asking a variety of questions such as did they feel the Ministry of Environment was proceeding in the right direction with the clean up, if they were getting enough information and did they feel relocation of government compensation should be considered. After the results of the survey were released some residents and councillors, including Reeve Lionel Bennett, felt the survey was redundant.

"I sure there's a lot of people who were not completely happy or disbelieved (the results)... The comprehensive study has been done and Deloro is a safe place to live and so I feel if we're going to have a survey better have a survey sent to me and to everybody and see what problems they have where they live too," said Councillor Terry Clemens. "I think we should turn this into a more positive thing."

Councillor Bonnie Danes, who originally asked for the survey to be prepared, felt it was not redundant in the respect that it had nothing to do with the health risk study to begin with.

"This was something we devised well-knowing that the health risk study was going to come out. We did this independent of the health risk study and there's nothing here that has to do with the study. I fully agree we need some input from the residents," said Councillor Danes. She read for Council a prepared statement which went as follows, "At the Council meeting of June 21, 1999 council agreed to support a survey of Deloro concerns. The rationale was presented in written format for the purpose of this survey. It wasn't

in conjunction with, it was totally independent of the health risk study. In simple terms this council was asking for input from the affected ratepayers in Deloro concerning the mine site rehabilitation. The questionnaire or survey already approved by council asked relevant feedback. This feedback will provide council as to the support citizens would appreciate from their local council. Other councils and agencies have already expressed their concerns and have proceeded with motions and participation efforts to promote implementing action for the clean up. Currently Centre Hastings council has invited Larry McCormack, M.P. for Hastings-Frontenac-Lennox & Addington to come to council to let them know whether the federal government is going to get involved in the problems of Deloro.

"The council of Marmora and Lake needs to represent its ratepayers in Deloro and become actively involved"

Bonnie Danes

Reeve Tom Deline asked the clerk to tell McCormack that council wants to know what they are going to do for this community in respect to Deloro. As well as McCormack, council has invited Leona Domrowsky, M.P.P. for Hastings-Frontenac-Lennox & Addington. She has agreed to come to the regular meeting of August the 25. The City of Belleville has been active in soliciting support from other municipalities for implementing a plan of action. They had a resolution, we supported it. The council of Marmora and Lake needs to represent its ratepayers in Deloro and become actively involved too. This survey will give council direction as to how we can pursue this involvement. Is there a councillor here who knows what residents in Deloro want from this council? The residents of Deloro have been informed that this survey is forthcoming and I'm sure they want to provide feed-

back. How else does this council think they will get needed information as to their involvement?"

After she was finished her statement, Reeve Bennett jumped in by saying that not all Deloro residents will share the same opinion.

"Their feeling is all this is going to do is keep the pot boiling."

Reeve Lionel Bennett

"I've had two, so far, who have asked that there not be a survey because their feeling is they have the information they've been waiting for from the health risk study, they want the issue to go to sleep, they want it to go away because that's what affecting property standards more than anything - the perception

that there's a huge problem there," said Reeve Bennett. "There is one but they're (government) willing to spend millions of dollars on it. Their feeling is all this is going to do is keep the pot boiling."

Councillor Danes retorted that she has also received calls but from people who are anticipating the survey.

"I had a call from up around the Whitby area wanting to know how they're going to get the survey. So, for as many as you can say I can probably say the same thing. There's people who want it," said Councillor Danes. "If they get it and they want that information sent back, they want us not to do anything about it, they're going to put it on there because that's what we're asking. If they want us to go away and leave them alone, they're going to say that."

Reeve Bennett referred to the question regarding compensation and relocation, noting that it has spawned articles such as one recently printed in the Toronto Sun indicating that the townspeople may be

"This is what happens when there is a class action suit being carried out against the government. We are really supplying information for people who want to sue the government," said the Reeve.

Councillor Roger Watson questioned Councillor Danes about the relocation issue, pointing out that he hoped she was not indicating the township would move the residents.

"It means do they want consideration from the provincial government, from the federal government. We're not going to be able

to give it to them that's for sure," said Councillor Danes.

Councillor Watson maintained that council could do nothing about relocation or compensation.

"Do you not suppose that we could write the relevant government agencies and say our survey indicates there is some concern about this," responded Councillor Danes.

Councillor Clemens again reiterated the fact that the health risk study results should be turned into a positive thing.

"Now that we've been shown by the provincial government through their comprehensive health risk study that Deloro is a safe place, now you help us as a council help these people by replacing the sewers and the water and the laterals and the sidewalks because it is safe by your standards. Now let us make it into a beautiful place. Help us make it even better," said Councillor Clemens.

Reeve Bennett made the point that if some survey come back showing that several residents want to relocate, how will the council be able to ask the government for grants to redo the sewage collection system.

"We're in a box. These people have told us they don't want a sewage collection system they want to be relocated. And, how are we going to fix up street lights?" he asked.

Councillor Danes stated that even if they did want to relocate, council would still have to service them until they did.

"I can't even foresee that we wouldn't care about them and look after them," she said.

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Council decides fate

"I'm suggesting even your survey, you're doing that based on your care of the people of Deloro, there's no question of that. However, we cannot do the sewage collection system on our own, we already know that. We have to go to the government and ask for money, now which mouth are we going to be talking from when we go to them - we want to relocate everybody or we want \$700,000?" said Reeve Bennett.

He later stated that council always welcomes concerns from people in Deloro but didn't think the survey was the way to hear them.

Councillor Danes pointed out that their obviously was some concerns there, referring to a story which appeared in the Herald last week about a resident unhappy with the health risk study results. She also noted that the main reason for establishing the survey was because she felt the study did not address every concern. As a member of a Deloro clean up committee, Danes stated, that she wanted to know what those concerns were.

"I believe that I know what a lot of them want because they have come to me personally," said Councillor Clemens. "What they

want, now that we've been reassured by our government, you got to have faith in someone, what we'd like to do is revive our village not keep stirring. We know there's problems over in the mine site. We know there's problems downstream. Where I live and own this block of land the province is safe to live in, I want to stay here and I want to make the village better. That's what they're telling me."

At the end of the meeting council finally decided to proceed with the survey but in another form. Two out of five questions - what are the

main concerns of the residents and what do they want council to do for them - were approved to be distributed. Councillor Danes and Councillor Bracken were designated to compile the results and will present them to the rest of council at a future meeting.