

Bill 62 on its way to 3rd reading

By JANET BAINE
Staff writer

The justice committee has recommended that the government accept Bill 62, which would ban landfilling on the Niagara Escarpment.

The private member's bill, authored by Halton North MPP Noel Duignan, was passed by the Standing Committee on the Administration of Justice Thursday and will be sent to the Ontario Legislature for third and final reading before coming law.

"I am thrilled that Bill 62 has progressed past the committee stage enroute to third reading by the Legislature," Duignan said, adding that many Halton North constituents made to the trip to Queen's Park this week to support the bill. "I was pleased to see so many familiar faces in the committee room and was proud of the quality of the presentations and the dedication of the members of my riding."

Originally public hearings were scheduled Monday and Tuesday, but Wednesday was also given over to the public in order to accommodate people on a waiting list, he said.

Reclamation Systems Inc. (RSI), which plans to put a landfill site into the Acton quarry and Ontario Waste Management Corp. were the lone opponents of the bill.

Barbara Halsall, who spoke on behalf of POWER (Protect Our Water and Environmental Resources), told the committee that the group supports Bill 62, because it offers clear rules so that a "frivolous application" would not be able to trigger the Environmental

Assessment process, which is lengthy, painful and "can bleed a small community dry."

Some people, however, were afraid the bill went too far in its attempt to ban anything related to garbage on the escarpment, in addition to landfills. Duignan presented an amendment to his bill Thursday to deal with these concerns.

"(The amendment) ensures that local recycling, composting and transfer facilities, as well as environmentally sound improvements to existing landfill sites in the Niagara Escarpment will be permitted," he said.

Joan Little, chair of the Niagara Escarpment Commission (NEC), who supported the intent of Bill 62, was one of the people who raised this concern Monday.

"Bill 62 seemed to take out transfer stations and recycling depots to look after the local community only. The way the bill read, you couldn't even use a blue box there," she said in an interview. But after studying the amendment, Little said that it addressed her concerns and the NEC supported Bill 62 and the amendment.

The city of St. Catharines, which already has a leaky landfill site, was also concerned that no changes would be permitted to improve the site, and this concern, too, has been dealt with in the amendment,

Duignan said.

Donald Mills, a lawyer for RSI, said that over seven and a half years RSI has spent \$6.5 million on the proposal. He said this bill would halt RSI's proposal in its tracks, because a joint board would no longer have to hear and decide on the merits of the company's proposal.

"This bill will be stopping the judicial process and in my view that would be unprecedented in the province. This is the only pending landfill application currently before the province," he said. Mills called the Acton Quarry a "scar that must be dealt with" and said that RSI's proposal would rehabilitate it.

At this point, people in the hearing room jeered.

While he admitted that continuing the application process is a business risk, Mills said "we're prepared to take that risk."

After RSI's presentation, Tory and Liberal members of the committee said they were concerned about fairness of the bill, as it affects RSI.

Duignan noted the government doesn't take a position on private member's bills, but added Environment minister Bud Wildman dropped by the hearing and the ministry provided the technical support.

Mayor Russ Miller said the Town has spent \$800,000 fighting RSI's proposal, and he is supportive of the bill, providing the amendment deals with the concerns of St. Catharines and Niagara Falls.

The bill will be put on the Legislature's agenda when the House sits again in April.



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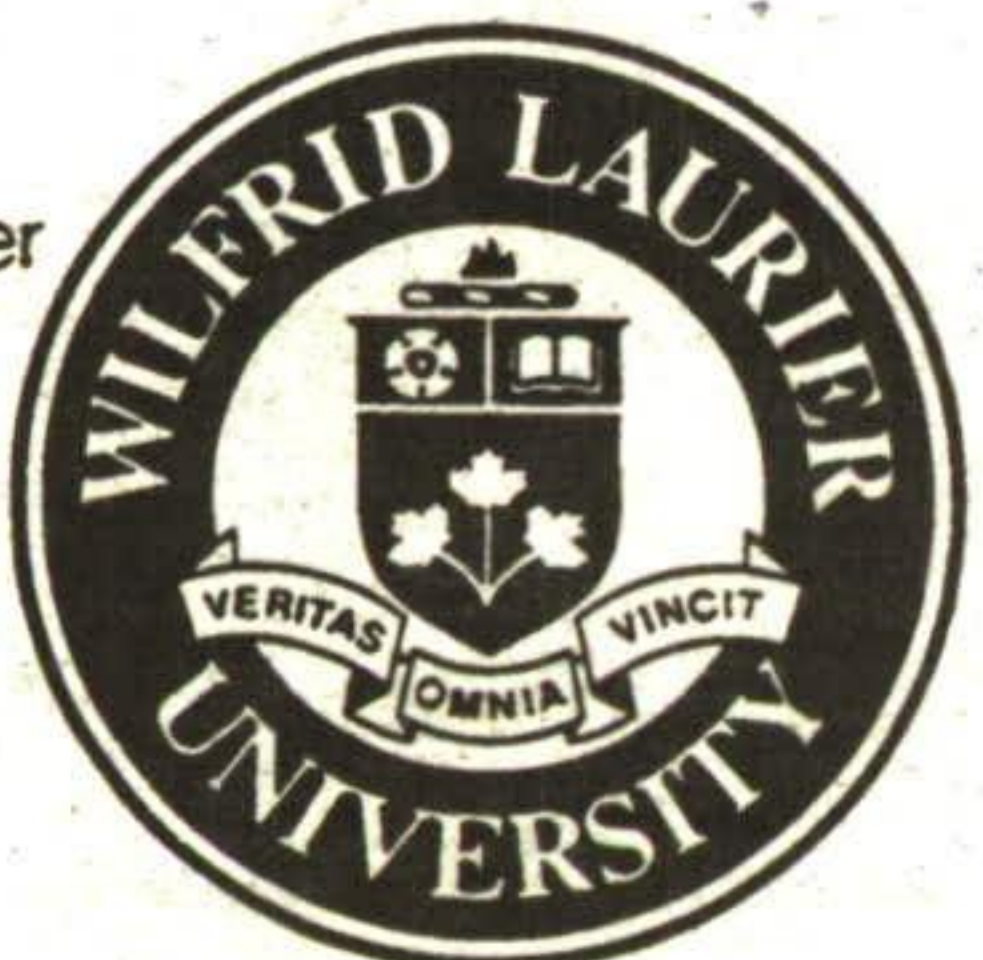
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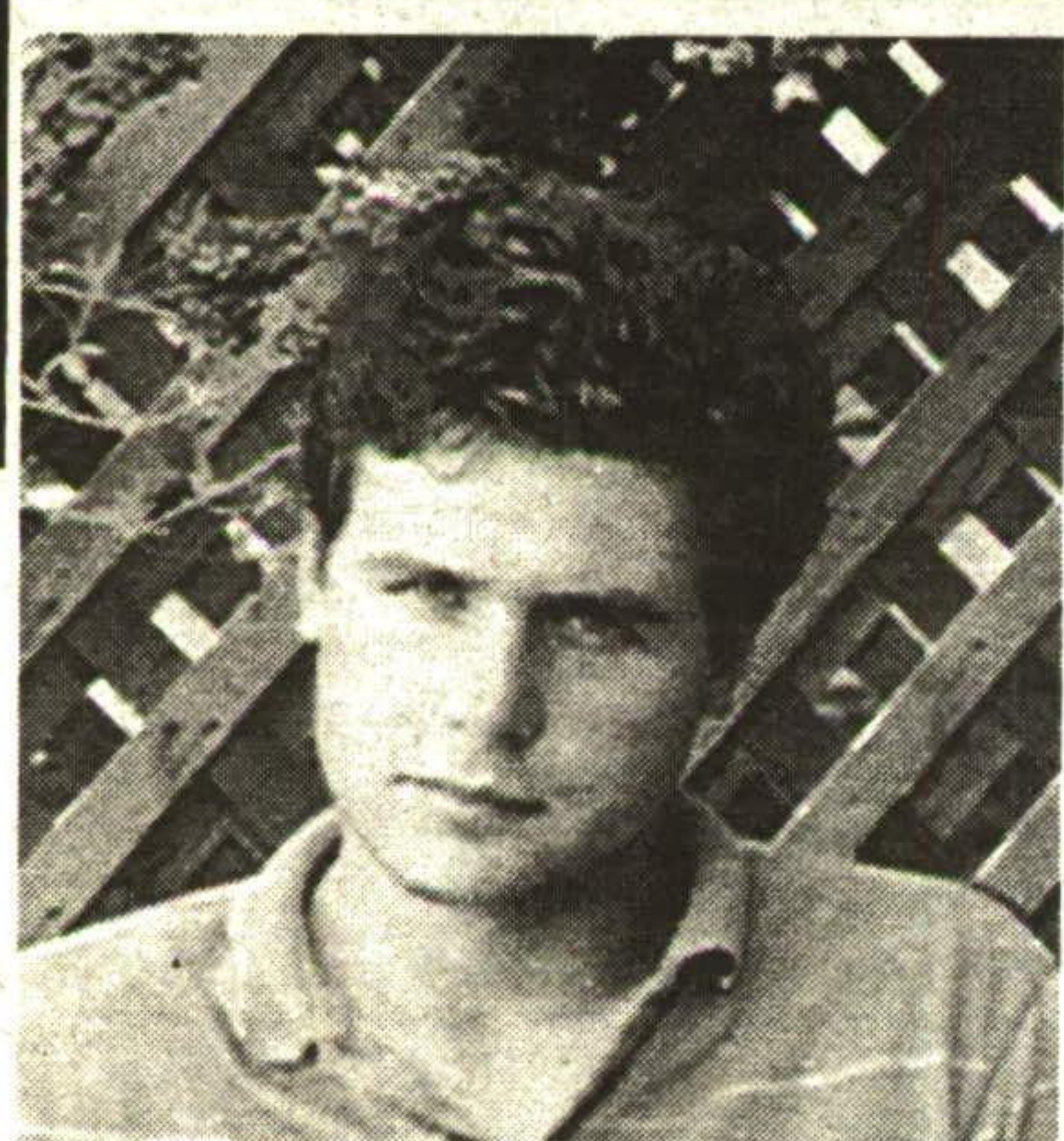
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