

Inventor knew incinerator was spewing toxins into the air

By Donna Duric
Writer

Nova Scotia inventor John Kearns knew his waste disintegrator prototype was spewing cancer-causing toxins into the air while it was operating on Six Nations last year.

"That machine that's there has no pollution equipment on it whatsoever," Kearns admitted in a phone interview with the Turtle Island News Wednesday from his home in Cape Breton, N.S. Six Nations people have expressed outrage on social media after learning about test results that came back last week showing his machine was spewing cancer-causing pollutants into the air at a rate two times higher than Ministry of the Environment regulations allow.

But Kearns defended his actions, claiming the tests "are regarded by our scientists as null and void because they should not have been conducted on that partial machine."

Neither Kearns nor his "scientists" were present during three days of testing conducted in early November by Guelph-based RWDI Scientists and Engineers.

But he claims the testing methodology was flawed.

"We've learned - from what appears to be the outcomes of the test - was that the garbage wasn't measured," said Kearns. "We don't know the excess air content because it wasn't being monitored. It's just a whole fiasco and it's not fair to the people of the community."

Kearns is not allowed on Six Nations.

He said he was barred from the territory by band council - in writing - after Six Nations people kicked him out of the landfill site in May demanding tests on his waste incinerator amid suspicions of toxic emissions coming out of the machine's smokestack.

They were right.

The tests revealed the machine was emitting carcinogenic dioxins, furans and particulate matter at levels "quite a bit higher" than the MOE allows, according to RWDI Engineer Kirk Easto.

Dioxins and furans are pollutants that Health Canada regards as toxins responsible for a whole host of impacts on human health, including endocrine disruption.

options: one is to get back on track and finish the machine and have it tested; cancel the order; and/or initiate talks on a settlement. I'm quite prepared to walk away if that's what they want but that's not what (Six Nations) needs."

He called the reaction to the test results "ludicrous" because it was only a demo unit.

"They're (band council) not allowing for the fact that

Predicts how the plume will disperse away from the stack



A power point shown to Six Nations Band council last week shows how the toxins may have dispersed across Six Nations, depending on prevailing winds. (RWDI Engineers power point)

tion, immune dysfunction, skin disorders, and various types of cancer.

Kearns is now threatening to sue Six Nations band council for breach of contract.

"I'm giving them every opportunity not to (go to court). I wrote them today (Jan. 21). I made it quite clear that they have three

there was no pollution equipment available on that machine. They're making their decision based on that machine and nothing could be more ludicrous."

Six Nations Band Council bought the waste-burning demo unit from Kearns in 2013 under the leadership of former Elected Chief Bill Montour for almost



Six Nations people shut down the controversial disintegrator last May while John Kearns threatened them with police.

\$500,000 with the agreement that it would purchase a permanent machine if Kearns proved his claims about the technology. He used the money to help tweak his invention.

The inventor claimed the machine could disintegrate waste while running 24/7 and with virtually "zero emissions."

It was supposed to run for a full 30 days but only ran intermittently from January to May of last year due to breakdowns and weather conditions. He also blamed the "absenteeism" of Six Nations employees for its failure to run continuously. If the machine ran successfully, the \$500,000 investment was to be considered a down payment on a permanent machine that would cost around \$5 million. Council also spent \$100,000 to conduct the tests on the prototype.

Kearns says emission testing was never supposed to

be done on the demo unit.

"The test, which was part of the contract and agreement, was slated for the fixed facility," he said. "That is already written right in the contract. I'm afraid (Six Nations is) terribly in breach of the contract and if it goes to court it's going to cost them. The whole thing is a terrible fiasco and the people of Six Nations are going to suffer badly from it."

Kearns called Six Nations people "impractical."

"They've worked themselves into a very difficult corner and if I were to go to court, I'd win hands down, no question about it. I can't believe they're so impractical as they've demonstrated. The contract signed by former elected chief (Bill) Montour makes it quite clear what was going to happen and now I feel foolish having been given them the use of the loaner. That was only to give them the

comfort that they could see what it does to their garbage and that's been abused.

"The contract is still in effect as far as I'm concerned and the same as the courts will be concerned," Kearns continued. "I didn't contract with an individual; I contracted with the band council, led by the former chief. So it doesn't matter who's chief there, it's still in effect. It's very upsetting and the people of Six Nations are victims again."

While he was marketing the machine to Six Nations, Kearns repeatedly claimed his machine could burn waste with virtually zero emissions.

A black plume was frequently visible coming from the machine's smokestack while it was running at the landfill. Kearns admitted he used oil and wood to fire up the machine.

Bill Monture, leader of the

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The controversial Kearns' disintegrator prototype had no pollution control equipment installed.

Six Nations landfill site

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Six Nations Men's Fire said the machine was "basically a giant outdoor fireplace" equivalent to an individual burning garbage in a backyard fire. Monture was one of about 50 community members who shut the machine down in protest last May.

Kearns first invented the machine in 1983. He has unsuccessfully tried to market it around the world. It was never in operation in any municipal capacity before it was brought here. Kate Jordan, spokesperson for the Ontario Ministry of Environment, says the department can't do anything about the situation unless band council asks for its help.

"The ministry does not have any authority on First Nations lands which fall under the jurisdiction of the federal government," she said. "While our regulations and rules don't

apply to First Nations territory, in the past we have provided advice, training and education to Aboriginal groups upon their request. In this case, we have not been contacted by Six Nations regarding any concerns for air pollution related to the disintegrator."

Councillor Helen Miller said a recent report in a Brantford newspaper that states council is buying a new machine is incorrect and she's asked the newspaper to issue a correction. "Council has not ordered or bought a new machine," she said in an e-mail. "Nor has council agreed to buy a machine."

Since last week, the Turtle Island News has repeatedly asked for a copy of the report but Miller said council doesn't even have a copy of the report.

"I do not have a copy of the report. The report has to be approved by RWDI

and then accepted and approved by council (first)." Council refused to respond numerous questions from the Turtle Island News and has not issued a statement on the results.

"Before releasing a statement we are waiting to receive the final report and slideshow presentation from RWDI so we know that the information we're giving to the community is accurate," said communications office Chelsey Johnson in an e-mail. "We don't expect to receive the report from RWDI until (this) week. Therefore our statement has not been sent out yet. In the meantime, we are working on finding a date when staff from RWDI can come to Six Nations and present the findings to the community themselves." The federal Aboriginal Affairs ministry has not responded to requests for comment.