



**First Session — Thirty-Fourth Legislature**  
of the  
**Legislative Assembly of Manitoba**

**STANDING COMMITTEE**  
on  
**PUBLIC UTILITIES**  
and  
**NATURAL RESOURCES**

37-38 Elizabeth II

*Chairman*  
*Mr. H. Pankratz*  
*Constituency of La Verendrye*



**VOL. XXXVII No. 15 - 10 a.m., THURSDAY, MARCH 2, 1989.**

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Fourth Legislature**

**Members, Constituencies and Political Affiliation**

NAME	CONSTITUENCY	PARTY
<b>ALCOCK, Reg</b>	Osborne	LIBERAL
<b>ANGUS, John</b>	St. Norbert	LIBERAL
<b>ASHTON, Steve</b>	Thompson	NDP
<b>BURRELL, Parker</b>	Swan River	PC
<b>CARR, James</b>	Fort Rouge	LIBERAL
<b>CARSTAIRS, Sharon</b>	River Heights	LIBERAL
<b>CHARLES, Gwen</b>	Selkirk	LIBERAL
<b>CHEEMA, Gulzar</b>	Kildonan	LIBERAL
<b>CHORNOPYSKI, William</b>	Burrows	LIBERAL
<b>CONNERY, Edward Hon.</b>	Portage la Prairie	PC
<b>COWAN, Jay</b>	Churchill	NDP
<b>CUMMINGS, Glen, Hon.</b>	Ste. Rose du Lac	PC
<b>DERKACH, Leonard, Hon.</b>	Roblin-Russell	PC
<b>DOER, Gary</b>	Concordia	NDP
<b>DOWNEY, James Hon.</b>	Arthur	PC
<b>DRIEDGER, Albert, Hon.</b>	Emerson	PC
<b>DRIEDGER, Herold, L.</b>	Niakwa	LIBERAL
<b>DUCHARME, Gerald, Hon.</b>	Riel	PC
<b>EDWARDS, Paul</b>	St. James	LIBERAL
<b>ENNS, Harry</b>	Lakeside	PC
<b>ERNST, Jim, Hon.</b>	Charleswood	PC
<b>EVANS, Laurie</b>	Fort Garry	LIBERAL
<b>EVANS, Leonard</b>	Brandon East	NDP
<b>FILMON, Gary, Hon.</b>	Tuxedo	PC
<b>FINDLAY, Glen Hon.</b>	Virden	PC
<b>GAUDRY, Neil</b>	St. Boniface	LIBERAL
<b>GILLESHAMMER, Harold</b>	Minnedosa	PC
<b>GRAY, Avis</b>	Ellice	LIBERAL
<b>HAMMOND, Gerrie</b>	Kirkfield Park	PC
<b>HARAPIAK, Harry</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HELWER, Edward R.</b>	Gimli	PC
<b>HEMPHILL, Maureen</b>	Logan	NDP
<b>KOZAK, Richard, J.</b>	Transcona	LIBERAL
<b>LAMOUREUX, Kevin, M.</b>	Inkster	LIBERAL
<b>MALOWAY, Jim</b>	Elmwood	NDP
<b>MANDRAKE, Ed</b>	Assiniboia	LIBERAL
<b>MANNES, Clayton, Hon.</b>	Morris	PC
<b>McCRAE, James Hon.</b>	Brandon West	PC
<b>MINENKO, Mark</b>	Seven Oaks	LIBERAL
<b>MITCHELSON, Bonnie, Hon.</b>	River East	PC
<b>NEUFELD, Harold, Hon.</b>	Rossmere	PC
<b>OLESON, Charlotte Hon.</b>	Gladstone	PC
<b>ORCHARD, Donald Hon.</b>	Pembina	PC
<b>PANKRATZ, Helmut</b>	La Verendrye	PC
<b>PATTERSON, Allan</b>	Radisson	LIBERAL
<b>PENNER, Jack, Hon.</b>	Rhineland	PC
<b>PLOHMAN, John</b>	Dauphin	NDP
<b>PRAZNIK, Darren</b>	Lac du Bonnet	PC
<b>ROCAN, Denis, Hon.</b>	Turtle Mountain	PC
<b>ROCH, Gilles</b>	Springfield	LIBERAL
<b>ROSE, Bob</b>	St. Vital	LIBERAL
<b>STORIE, Jerry</b>	Flin Flon	NDP
<b>TAYLOR, Harold</b>	Wolseley	LIBERAL
<b>URUSKI, Bill</b>	Interlake	NDP
<b>WASYLYCIA-LEIS, Judy</b>	St. Johns	NDP
<b>YEO, Iva</b>	Sturgeon Creek	LIBERAL

**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON**  
**PUBLIC UTILITIES AND NATURAL RESOURCES**  
**Thursday, March 2, 1989**

**TIME — 10 a.m.**

**LOCATION — Winnipeg, Manitoba**

**CHAIRMAN — Mr. Helmut Pankratz (La Verendrye)**

**ATTENDANCE - 11 — QUORUM - 6**

*Members of the Committee present:*

Hon. Mr. Connery

Mrs. Charles, Messrs. Gilleshammer,  
Harapiak, Pankratz, Plohman, Rose, Taylor

**APPEARING:** Mr. R. J. Cooke, President and Chief  
Executive Officer

Mr. R. L. Carter, Chairperson of the Board

Ms. C. Kaus, Manager of Finance and  
Administration

Mr. E. Yee, Manager, System Development

**MATTERS UNDER DISCUSSION:**

The First Annual Report of the Manitoba  
Hazardous Waste Management Corporation,  
fiscal year ending December 31, 1987.

\* \* \* \*

**Mr. Chairman:** I would like to call this committee  
meeting to order at this time.

First of all, we would like to deal with some  
resignations. "I wish to resign from Public Utilities and  
Natural Resources Committee, effective immediately,  
John Angus."

**Mr. Harold Taylor (Wolseley):** I would like to make a  
nomination, Mr. Chairperson. I would like to nominate  
Bob Rose, the Member for St. Vital.

**Mr. Chairman:** Bob Rose has been nominated. (Agreed)

**Mr. Taylor:** Mr. Chairperson, I believe there is another  
vacancy, is there not, from our side on the committee?

\* (1005)

**Mr. Chairman:** That is possible. We have quite a few  
resignations so we will go through them.

"I wish to resign from Public Utilities and Natural  
Resources Committee immediately, Herold Driedger."  
Is there a replacement?

**Mr. Taylor:** I would like to nominate Gwen Charles,  
the Member for Selkirk.

**Mr. Chairman:** Gwen Charles has been nominated.  
Committee agree? (Agreed) We have confusion here  
at the present time so, Bonnie, how do you want to  
handle that?

**Clerk of Committees, Ms. Bonnie Greschuk:** Sorry  
for the confusion. We have to nominate a new  
Chairperson. Are there any nominations?

**Mr. Harold Gilleshammer (Minnedosa):** I nominate  
Mr. Pankratz.

**Madam Clerk:** Mr. Pankratz, any other nominations?  
If there are no other nominations, Mr. Pankratz, please  
take the Chair.

**Mr. Chairman:** Just for clarification, do the other  
resignations stand and appointments? So I have been  
substituted for Parker Burrell as Chairman.

"Public Utilities and Natural Resources Committee  
resignation effective immediately, Harold Neufeld." Is  
there a replacement?

**Mr. Gilleshammer:** I nominate Mr. Connery.

**Mr. Chairman:** Mr. Connery, committee agree? (Agreed)

"Resigning from Public Utilities and Natural  
Resources, Jerry Storie."

**Mr. John Plohman (Dauphin):** Yes, I would nominate  
Mr. Harapiak, the MLA for The Pas.

**Mr. Chairman:** Committee agree? (Agreed)

The committee this morning is here to consider the  
report on Manitoba Hazardous Waste and Management  
Corporation, 1987. For that I would like to ask the  
Minister whether he has any opening remarks at this  
point in time. Maybe he would also like to introduce  
his staff.

**Hon. Edward Connery (Minister of Environment):** It  
is a pleasure that I present the 1987 Annual Report of  
the Manitoba Hazardous Waste Management  
Corporation to this committee. I am joined by several  
officers of the corporation who are available to answer  
any detailed questions that you may have on the report  
and on the current work being undertaken by the  
corporations. I would ask these individuals just to put  
their hand up for identification as I introduce them:  
Nick Carter, Chairman of the Board; Mr. Rick Cooke,  
President and Chief Executive Officer; Ms. Caroline  
Kaus, Manager of Finance and Administration; and Mr.  
Edwin Yee, Manager of System Development.

The Province of Manitoba was among the first  
jurisdictions in Canada to initiate systematic planning

for the management of hazardous waste. This began in 1981 when our Premier served as Minister of Environment and has continued since that time his long-term policy commitment of three successive Governments, a tribute to the essentially non-partisan nature of the issue and its solution.

\* (1010)

It was recognized during this planning process that the needed system required both operational and regulatory components. This recognition resulted in the formation of the Manitoba Hazardous Waste Management Corporation to act as the regulated component of the overall system. The Department of Environment acts as a regulatory authority under The Dangerous Goods Handling and Transportation Act and The Environment Act.

The report before you covers the first five months of the corporation's operation, a period that focused on setting out an overall approach and plan for the system's development.

Before commenting on the significant progress made during 1988 on the implementation of this plan, it may be worth highlighting the main features of it. The approach being pursued by the corporation involves the incremental development of a capability to manage hazardous wastes, beginning at the source of waste generation and adding the required collection, storage, analytical, treatment and disposal capacity as it can be justified.

The corporation's job is essentially to coordinate the development of these various components, ensuring that they incorporate an appropriately high level of protection for the environment and public health. While it is assuming an equity position in the system components through its development activities, no monopoly position is implied, and the attraction of external investment in the system's various components is fundamental to the corporation's business plans.

The major material achievements of the corporation to date include implementation of an effective Waste Generator Services Program directed at the reduction and management of hazardous waste at source, upgrading and operation of a temporary storage facility at Gimli, delivery of various public programs related to household hazardous waste and pesticide residue disposal, development of a commercial capability providing out-of-province treatment and disposal of hazardous waste, as well as the storage of PCB-contaminated material using facilities operated by Manitoba Hydro, completion of conceptual design for a central treatment and disposal facility, delivery of a comprehensive public information program on the issue, and initiation of a voluntary siting process for a central treatment and disposal facility.

Before closing, I would like to comment on the last two points. I have been particularly happy with the corporation's efforts in the area of public information. The public is rightfully concerned about the issue but much of what is written and said about it serves to promote misconceptions about it and what should be done. In reality, every one of us is part of the problem

and we will have to contribute to the solution. Through the material that the corporation has produced, the many presentations made to schools, industry groups, municipalities, and many other stakeholders and the Open House Program held all over the province last fall, they have been able to provide a credible and balanced perspective of the issue and how we should solve it.

With respect to facility siting, the corporation is pursuing an innovative approach based on the voluntary participation of local communities and their direct participation in siting decisions. Historically, this has been the most difficult and controversial step in providing a comprehensive solution. To date, the corporation has been invited to make presentations to 33 local councils. Twenty have individually or jointly invited the corporation into their communities to attend open houses or meetings hosted by them to answer residents' questions and obtain an indication of interest. A number of these are considering the formation of broadly based community advisory committees to jointly work with the corporation on detailed siting work in their areas.

\* (1015)

While very dependent on the rate at which these communities want the siting work to proceed, we are hopeful that candidate sites will be identified this spring and that, by year-end, the necessary technical and environmental work required for a formal regulatory application will be completed. Construction would then start in 1990, and the facility would be operational in 1991. If this timetable is achieved, our siting would be among the most efficient yet undertaken in North America in terms of cost, scheduled public acceptance. In this regard, it is of interest to note that our success to date using a cooperative and community-based approach to siting, these facilities have attracted interest in a number of other jurisdictions in Canada and the United States as a potential model for similar undertakings.

To conclude, I want to confirm my support for this undertaking. Our Government inherited a good start and has continued and accelerated the initiative. I believe that it is and will continue to be pursued with a unique blend of technical and environmental excellence, social sensitivity and financial and commercial accountability. The product will be an important component of our economic infrastructure that also contributes to the maintenance of our quality of life. As such, it represents a very concrete example of our commitment to the concept of sustainable development.

That is the conclusion of my remarks. You have before you a package of information, information that you will find interesting. One of the questions that has arisen at other committee meetings—what about who is on the board—and there is a list of board members within that package, so that you can determine who we have appointed to the board. I would now, Mr. Chairman, turn it back to you.

**Mr. Chairman:** I would like to ask the committee Members for their guidance as to how do we want to

go through this report, in its total entirety or do we want to take it page by page? Okay, is that the wish of the committee? We will go through the total, and they can basically ask questions on any portion of it at any time, if you so agree.

Okay, with that, I think we are open for questions. So with that, I would welcome questions to the Minister, if you would be so kind as to then possibly refer to the page from which you are receiving your questions.

**Mrs. Gwen Charles (Selkirk):** Mr. Chairperson, I think we all recognize, as much as we would like to say that we have been long-term environmentalists, that really within the last five years and certainly banking up to the present now, environment is becoming a recognized problem. The idea that there should be some solutions that lie within the individual is just a fact of life. As much as damage has been done to our environment in past years and centuries, we are now looking towards the future. I appreciate that this is a beginning step within Government, from the past to the present Government and well on to the future, whomever they may be. So I hope that we do this with cooperation.

There are a few general questions I would like to ask as an overview. One is, do you have a definition for what hazardous waste this management corporation is in control of?

**Mr. Richard Cooke (President and Chief Executive Officer):** The materials that are involved in our business and the materials that we manage are defined by The Transportation and Handling of Dangerous Goods Act as provincially regulated hazardous waste. That includes all kinds of hazardous waste with the absolute exceptions of radioactive materials and explosive materials which are both regulated and operationally managed by the federal Government. So in more practical terms, the types of materials involved are a large range of fairly common materials that all of us deal with every day, mostly chemicals, chemically-based materials or materials that have been contaminated with chemicals that pose some danger to the environment and/or human health.

**Mrs. Charles:** So, in general though, you are in charge of all waste with those exclusions you mentioned.

**Mr. Cooke:** Yes, all materials that are defined under the Act and in fact some exceptions in terms of smaller quantities. For example, household hazardous waste is exempt under the regulations in terms of registration of generators. Each of us as individuals do not have to register it as a generator under the regulations, but we of course do generate those kinds of materials and we do handle in bulk household hazardous waste.

\* (1020)

**Mrs. Charles:** Could you please explain how The Environment Act and your corporation impact upon each other and what the interwork of those two facilities would be?

**Mr. Cooke:** Under The Dangerous Goods Handling and Transportation Act, facilities to treat and dispose of

hazardous waste are licensed under that Act. The practice, we have been advised by the regulatory authorities, is a linkage through, I believe, Section 10(2) that would require the environmental assessment be done of the facilities that we would be developed to be done under The Environment Act. That is our assumption and we are planning to do that.

**Mrs. Charles:** If there were and are hazardous wastes being dumped through industries through the sewer systems in the City of Winnipeg, would you have some control of those dumping of hazardous goods into the sewers or would this be through The Environment Act?

**Mr. Cooke:** We have no control. We are not a regulatory authority and actually we are regulated as opposed to regulatory. That question would be one that really should be addressed to the Department of the Environment as a regulatory question.

**Mr. Connery:** The Dangerous Goods Handling and Transportation Act also would come into play. The city sewer system is owned by the City of Winnipeg and so it is under their jurisdiction. But the putting in of hazardous waste, which now becomes the handling and transportation of, into the sewer system would come under The Dangerous Goods Handling and Transportation Act. If we could apprehend somebody doing that, it would be contrary to that particular legislation.

**Mrs. Charles:** If the answer is that you are a regulated body, would or has the City of Winnipeg contacted you for any help and assistance in control of hazardous goods in their industries?

**Mr. Cooke:** Yes, we have a very close working relationship with the City of Winnipeg and other municipalities around the province. There are two types of regulations involved. There is certainly the provincial regulation but also the municipal regulation through the enforcement of things like sewer by-laws. We certainly, for business reasons, encourage that regulation because it identifies our customers.

The City of Winnipeg has recently published a new and much more stringent set of sewer by-laws which certainly the response that we have had from businesses in the city in response to the new sewer by-law is that a lot more people are identifying wastes that are now viewed as being hazardous. It is a bit of an education process and certainly will take some time.

But there is a bit of a chicken-and-egg-type situation. The city would very much, in the way they have spoken to us, like to enforce their sewer by-laws but the alternative has to exist and that is our job, to provide an operational alternative where those materials can be dealt with safely and in an environmentally sound manner. So, as we develop a system, there will be increased enforcement at both the provincial and municipal level, we would anticipate, and certainly we hope there is because that is where our business will be derived.

**Mrs. Charles:** Could you then inform us as to what role you had to play in this by-law? Did you have any

input into the by-law presentation and, if you did, which particular role was that?

**Mr. Cooke:** Perhaps I could turn that question over to Mr. Yee who has had that consultation directly with the city.

**Mr. Edwin Yee (Manager, System Development):** No, not directly. We have had input with the City of Winnipeg respecting our activities involved with the development of an integrated hazardous waste management system. As Mr. Cooke has indicated, there is a need to have an alternative with respect to waste disposal pursuant to enforcing regulations.

So, in this regard, we are in communication with both the provincial regulators and the municipal regulators. We had no direct input in the development of this particular regulation but have made ourselves aware and have attended some of their briefing and consultation meetings on this by-law so that we, ourselves, can better respond to our clients who are affected by it.

**Mrs. Charles:** Just for clarification then, with this by-law in force, hopefully it will identify those industries or people using hazardous waste. That identification would take place by the city, in which case you would be informed, and then the cooperation would take place on how to dispose. Is that the procedure I am understanding?

**Mr. Yee:** Certainly what it does is identify what hazardous waste materials there are and it brings to the forefront the awareness of both the generator, the regulators and the public as a whole what these materials are, brings them out of the woodwork, as it were, or out of the sewer system into a forum where they can be addressed by ourselves or other commercial companies that are providing treatment and disposal services for these materials.

In effect, the sewer by-laws actually look at wastes that are not considered hazardous which includes them as industrial waste, which again may be amenable to our treatment system and that we can provide services to our clients in Manitoba.

**Mrs. Charles:** Would you provide direct consultation with the sewer treatment plants in that, if they had an excess spill coming through their treatment system rather than just waylaying the system and going out into the river, would you at that point jump in and be able to help them solve that immediate problem?

**Mr. Cooke:** Again, I think your phrasing "jump in and do something" implies some regulatory action which we do not do. If we were called upon by either the city or the provincial regulators to look after that kind of a problem where material had been identified and an alternate method of treatment and disposal was required, we would certainly do so. The identification of the problem and the capturing of the material would be essentially a regulatory responsibility.

**Mrs. Charles:** I am trying to identify exactly who would invite you in. On whose request do you enter a situation, particularly in this case with the City of Winnipeg because of the experiences we have unfortunately had to see happen within the last year? If something develops, understanding that all these regulatory bodies are in place, which one of them or who has the ultimate call to have you folks come in and, hopefully, help with the situation and, hopefully, develop a system that it will not happen again if that is possible?

**Mr. Cooke:** I think, if the situation such as you described developed, it would probably be the city's operational people who would call us in. It could be, depending on where and how it occurred, the provincial environmental officers to do that. In a sense, we are—again, we do not step into situations that would imply any control over the action of others in a legislative or jurisdictional sense. We provide a service and are available on call. The regulation of what goes into the sewer system, my understanding is at any rate and perhaps Mr. Yee could add more to this, is the city's responsibility.

**Mr. Yee:** Perhaps, as a point of clarification, if you are talking in response to an incident or a spill, it is usually between both the province and the municipality to arrive at what action should be taken. Certainly the corporation could well be called in as a facility for treatment and disposal of these materials. I would also point out that in fact the City of Winnipeg has approached the corporation in terms that the city is a generator as its corporate entity and does require their materials to be handled in an environmentally acceptable manner. So, from this perspective, the city is also dealing with the corporation as a potential client.

**Mrs. Charles:** So, if hazardous waste is identified from whatever situation, you have no right to, in essence, intervene and suggest ways and means of disposing of that. You have to wait to be called in or requested for your capacity.

**Mr. Cooke:** Essentially, yes, we provide a service. We do a lot of that type of work with waste generators who will contact us about their waste management problems. In many cases, they can be dealt with at the source. Where they have treatment and disposal requirements, it is our intention to provide that service as well but, as a commercial organization, we provide it on that basis.

There are occasions where a regulatory compliance problem has evolved and our client in effect is the regulator, the municipal regulator or the provincial regulator. If, for example, there are the results of a regulatory order, a confiscation of material, something like that, then in effect the generator of the waste or our client becomes the appropriate regulatory authority and we obviously respond to them providing that service.

**Mrs. Charles:** I hope you understand, I am just trying to get the full essence of exactly this corporation because it is developing from a new beginning and, hopefully, we can all understand it and get together on



this. Just further on that, if in your pursuit of disposing or helping industries or people or municipalities dispose of hazardous goods, you come upon an infraction, do you have any rights or obligations to report those infractions? Are you very separate as to just dealing immediately with the case upon which you are sent to deal with?

**Mr. Cooke:** I think we have the obligations of any citizen with respect to obedience (sic) of others in the law but it is that relationship. We cannot tell someone to do something. If they voluntarily ask us to provide a service, we do so.

**Mrs. Charles:** Obviously from this mandate you are saying that you are really part of more the business side and working with the business in order, with cooperation rather than confrontation, that you are almost outside of the enforcement side. You just want to work with them and work on more the cooperative situation than necessarily looking as if you are the bad guy, so to speak, the policing agents. Is that correct in that assumption?

**Mr. Cooke:** Yes, we have absolutely no policing power. Quite the contrary, we are the policed in the context of being regulated.

**Mrs. Charles:** What role do you play with private industries that may or may not wish to come into this province to develop disposal of hazardous goods and/or ship them out of the province, if that may be the case? Are you seen as one to seek out these industries that will dispose of goods or are you looking more at developing your own provincial disposal sites?

**Mr. Connery:** She has expanded into whether you would invite other people in. There are two answers to this, so go ahead Rick with the first one.

**Mr. Cooke:** I guess we believe quite strongly, in business development terms, that there are a lot of components to a waste management system. It is not just downstream facilities. It involves waste management at source, the collection, analytical infrastructure, and there are quite a number of players involved in that. Our policy and practice is to work jointly with private and potentially other public organizations providing waste management services.

\* (1030)

**Mr. Connery:** Anybody else who wants to become a player, whether they are going to be collecting and storing or whatever, have to go through the same process that anybody else does. There is one process of environmental hearings, Clean Environment Commission hearings, and so forth. If there is an individual company wanting to do it, they have to go through the same process, as does the Hazardous Waste Corporation. There is no different set of rules for one group or the other, they are the same common set of rules.

**Mrs. Charles:** Just one further question on this particular topic before I let the other party jump in, do

you as a corporation then seek out private companies to dispose of goods that you are not able to dispose of?

**Mr. Cooke:** Yes. Currently, we operate essentially as a broker. Most of the hazardous waste, virtually all of the hazardous waste that is collected in Manitoba is exported primarily to the United States. We qualify capable treatment and disposal firms in other provinces and in the United States for that disposal on a contract basis. Potentially, we would work with other people operating in the province in the same fashion, or other people may well work with us when we develop facilities.

**Mr. Harry Harapiak (The Pas):** I was pleased with the Minister's comments that they are continuing on with the direction and the timetable that had been established in 1981. He has been saying that there was a non-partisan approach. The board of directors are mentioned in this report. I recognize this board report was from '87, and I know there have been two changes for sure on the board of directors.

It is unfortunate that you did not carry on this non-partisan approach to the board of directors because I think there were two very capable people, one Al Cerilli who was recognized as having a lot of knowledge in the field of transportation, and the other one is Dr. Yassi whose name was put forward by the Manitoba Medical Association and had a lot of expertise in the whole field of hazardous waste. It is unfortunate that you would have not carried on with this non-partisan approach with the board of directors, as well as with the corporation. I am wondering if the Minister has some comments on that.

**Mr. Connery:** Non-partisan, there are two people who are not on the board. It is unfair to mention names but one person, I think, attended two meetings in the first year, was a very poor attendee and was not a contributor to it.

The Government and this ministry in their wisdom wanted to ensure that we had a good board and I think we have what I would consider an excellent board. We have expanded the board. I think there are more on the board now to give it greater depth and experience. I look forward to the results. It is working very independently, really. As a Minister, we are keeping in constant touch naturally with the operation of the corporation, but it is not being politically influenced.

**Mr. Harapiak:** I do not want to comment on the people who are on the board because I do not know their expertise or what contribution they can make but, hopefully, it will be in a positive way.

The corporation has published on several occasions a very extensive list of criteria for selection of a site for its hazardous waste collection and processing. We have a private firm that is looking at setting up in Oak Bluff. Are they going to be subject to the same set of criteria that the Manitoba Hazardous Waste Corporation is subject to?

**Mr. Connery:** I have already answered that question. Mrs. Charles asked that question and, absolutely, there

is only one set of criteria. No matter who applies for a licence to do whatever with hazardous waste will follow the same criteria that the Hazardous Waste Corporation will. There are no shortcuts. There is no fast track. That process will be in place, will not be deviated from.

**Mr. Harapiak:** When was the Hazardous Waste Corporation informed by the Minister that they were considering allowing commercial firms to set up dealing with waste storage in the province?

**Mr. Cooke:** The policy of other operators in the province has prevailed since I have been involved with the corporation from the first, which dates from August 1987. The corporation has no mandate or monopoly and never has. There was one commercial operation currently that still operates in the city, in place when we started up, and continues to operate on a licensed basis. So there is no prohibition. Unlike some other jurisdictions, Manitoba has chosen not to focus on a single proponent. That was the case certainly when the corporation started up and that policy has continued.

**Mr. Harapiak:** Does the Hazardous Waste Corporation go out and solicit commercial firms to come in and handle part of the hazardous waste opportunity?

**Mr. Cooke:** We have an active policy of looking for equity investments in what we are doing. We are looking for partners. In fact, for the most part, we feel that we bring the expertise and we would like other people to bring some money. Certainly there has been some interest expressed by other people in the business and independent investors in those kinds of opportunities in the development that we are pursuing. The other development that you mentioned is entirely independent of what we are doing. We have had conversations with that firm offering our assistance and offering to work with them. That firm has chosen, I believe, to carry on independently and obviously they are free to do so.

**Mr. Harapiak:** How many commercial firms have expressed an interest of coming in and participating with the Manitoba Hazardous Waste Corporation in that whole field?

**Mr. Connery:** People who want to get involved have to apply to the Department of Environment. They do not apply to the Hazardous Waste Corporation. If they want to be a handler of hazardous waste, the application is made through the Department of Environment.

**Mr. Harapiak:** Could you give us an answer on how many commercial firms are interested in that?

\* (1040)

**Mr. Cooke:** I think there are two questions involved. One is, how many other proponents of facilities other than ourselves, the one commercial operation that is licensed in the province and another current proponent that has an application before the Department of the Environment? As I am aware, there are only the three of us, two that are in operation and one that does have an application before the Environment.

The other part of the question I think was, how many people have approached us with a business interest in what we are doing? I guess the total number probably is about a half a dozen with varying degrees of interest, simply people locally in the business, waste generators in fact who know they have waste management problems, know that they will have to make some investments in waste management and are looking for both technical assistance and potentially at a business opportunity.

Several firms from out of province who are in the waste management business in other parts of Canada have expressed some preliminary interest in what we are doing. Those are the kinds of discussions that, as we develop our business plans, we probably will pursue, subject to any direction we receive from the Government.

**Mr. Harapiak:** Are you concerned or the corporation at all concerned about the viability of the Manitoba Hazardous Waste Corporation if there are too many firms coming in and creaming off areas that are most commercially viable?

**Mr. Cooke:** I think the short answer is no, because I think we can do it better. Maybe some explanation of that, we believe quite strongly and we talk about hazardous waste management system and economic viability overall and total cost, publicly and privately, will be affected by how well that system is integrated and planned. That is one of the reasons we encourage anyone who is proposing investments in the business to work with us, obviously on a voluntary basis, just so we do not duplicate facilities and one party or the other making unnecessary investments.

There are certainly waste streams, so-called selective waste management that we would encourage, particularly those at source. For example, someone who is proposing to provide a specialist recycling capability, our view would be that would enhance the economic viability of the overall system because it would avoid more expensive investment downstream. Certainly it is possible someone who is specializing in a higher margin waste stream and only that could affect the economic viability of the whole but probably only for a short period of time because economies of scale, of the larger more integrated facilities as part of the overall system, would become more economic as they are developed. So I think overall the impact of so-called selective waste management, independent of what we are doing, is probably minimal.

**Mr. Harapiak:** The Minister has recently requested a list of changes from the Winnipeg Chamber of Commerce dealing with workplace safety, and apparently there is now legislation being drafted to relax the standards in the workplace. Have there been any requests made to relax the standards in the handling of the dangerous goods Act?

**Mr. Connery:** Absolutely not.

**Mr. Harapiak:** How many residents have contacted the corporation about concerns about the environmental corporation in Oak Bluff?



**Mr. Connery:** I would have to get that information from our department to get the exact number.

**Mr. Harapiak:** Has the corporation had any dealings with the fire at Ruttan Mine in Lynn Lake?

**Mr. Cooke:** No, the Department of the Environment looked after that. We certainly made ourselves available if there were any materials that required disposal.

**Mr. Harapiak:** Has the Minister requested any cataloguing of materials that may be dumped into other sites where there are mining operations carried out in the Province of Manitoba?

**Mr. Cooke:** We have had no such requests, no.

**Mr. Harapiak:** Can the Minister share with us if he is concerned about some other mining operations that may be dumping the same type of materials that were dumped into the Ruttan dump site, that we should keep better controls of the materials that are dumped into mine sites?

**Mr. Connery:** First of all, let us be up front and let us say that there was a lot of miscommunication and a lot of attempts to build into the Ruttan fire something that was not there. There was an attempt to build into it the fact that I think there were 600 or 700 gallons of PCBs—I forget the exact number but it was some kind of horrendous number—where in fact it ended up to being about 20 capacitors with very little PCB oil in them. So there was an attempt to make something that was not there.

We have sent out instructions to all mines to ensure that any hazardous waste is properly stored and is disposed of in the appropriate way, and that dump sites are not an appropriate way in the mine. So, if there are hazardous wastes, they have been instructed to dispose of them. If that means contacting the Hazardous Wastes Corporation, fine. There are various ways of disposing of hazardous wastes and they were instructed to ensure that they were to dispose of that waste in the appropriate manner.

**Mr. Harapiak:** While we are on the subject of PCBs, has there been any attempt on the corporation to come up with a final solution of how to store, transport, and dispose of PCBs in this province?

**Mr. Cooke:** Yes, we were providing a commercial service, as well as a service for public agencies as a public program to package, store, or transport and store in a central storage facility. Small quantity storage sites around the province have done a significant number of those. We also assist people who have larger quantities of that material to develop their own storage facilities as a technical service. In the longer term, as part of our overall facility development work, we will provide for PCB storage as more of that material is generated.

We are actively working with the federal Government in their initiative related to developing a disposal capability, and certainly would hope to participate in

that program when it becomes available, are working with any other jurisdictions, notably that potentially will develop incineration facilities for destruction, the two being mainly Ontario and Alberta. In the period of time in the relatively near future, we think there will be facilities available for the destruction of the inventories of PCBs. In the near term, we are ensuring that they are captured and properly stored.

**Mr. Harapiak:** Has the corporation played any role into the transportation of the PCBs from the Quebec fire to Alberta? I guess I come to this question with a bias, having been a former railroader. I think that the transportation of this dangerous commodity can be handled much safer with the railroad, because I think that the operations are away from the public whereas, if you are transporting by road truck transportation, the public is not aware that there are dangerous goods being moved. Therefore, they are not as careful, whereas the railroads are placarded and they are given instructions right throughout their whole operations that they are handling a dangerous good. I hope that the corporation is involved in this and is making a recommendation that these materials will be moved by rail transportation rather than truck, and I hope that there is some role being played for monitoring this while it is being moved through the Province of Manitoba.

\* (1050)

**Mr. Connery:** The Member is asking questions that are not pertinent to the corporation but are pertinent to the Department of Environment, The Dangerous Goods, Handling and Transportation Act. The Member is misinformed to say that dangerous goods are handled in a different method by rail than by truck. They are all placarded, manifested, all with the same regulations.

As you know, the railroads are under federal jurisdiction, and the federal Government has jurisdiction over them but there is a common transportation mode that is there.

**Mr. Harapiak:** The point I am trying to make, Mr. Minister, is, when it is moved on the rail line, you are away from the general public and, therefore, you can handle it in a much safer method. When someone is coming down the highway, they are not aware that there is a truck coming down handling the PCBs and the public does not know what the placards are indicating. I know I worked in the railroad industry and there are many different placards that you have to go to special sessions to inform you of how these placards are worded so the general public is not aware of what these placards mean. I think it is a much safer way of transporting the material than it is on the highways.

**Mr. Connery:** We will not get into a long debate on this particular issue because it is not pertinent to the corporation and the information should be pertinent to the corporation, but I can tell the Member that while trains in some respects are away from crowded areas, when it goes through Portage la Prairie, those two trains go right through the centre of town and, when a truck goes by Portage, it goes around the by-pass.

There are some misconceptions on that, and I do not want that to be on the record from the Member for The Pas (Mr. Harapiak) that it is safer to ship by rail than it is by truck. The same regulations are in place.

**Mr. Harapiak:** I guess we do not want to get into an argument over this particular issue but maybe the City of Portage la Prairie is safer because there is a bypass, but there are many cities in this country where the railway goes right through the city and they slow right down. I think there are regulations which limit the speed they can operate on and their procedures are much safer.

There is one more question I want to ask. That is, in the handling of the hazardous material, has the corporation been told if they are going to be specializing in the handling of any special hazardous material, or will be handling all hazardous materials that come, that are out there in society?

**Mr. Connery:** The corporation have not been given any restrictions to the handling of hazardous goods of any kind. There have been no restrictions placed upon them.

**Mr. Harapiak:** Have you looked at the borders that sometimes prohibit the movement of hazardous material? Have you looked at dropping some of the regulations so that we can move and specialize in the treatment of some hazardous material from one corporation to the other, rather than being an expert in all commodities that are available.

**Mr. Cooke:** The answer is yes. We very strongly advocate the development of a regional capability, particularly in western Canada. There are facilities now available in Alberta that we are prohibited to use by provincial policy in that province. Overall, it is counterproductive in our belief to create barriers at borders. We feel quite strongly that certain kinds of wastes, which are generated in fairly large quantities in this area, can be dealt with, with facilities we have developed.

There is another whole category of waste, organic waste for the most part of which PCBs are one, that require incineration. It would be less economic to develop those facilities here and we would be better advised to access facilities in other places. We have, on a working level with the operators, our opposite numbers operating in other jurisdictions, those conversations on a continuing basis. The major issue, in terms of access to the Alberta facility, is one of policy of that provincial Government and ultimately will have to be dealt with at that level. But we think it is very appropriate there be the sharing of facilities so that the best facilities are provided and at the least cost.

**Mrs. Charles:** It has been stated that in many cases hazardous goods will be shipped out of the province into other provinces or indeed into the States to be disposed.

Could you indicate whether there are any—I guess "checks" would be an appropriate word—taken by your

corporation to ensure that companies receiving these hazardous goods do have a good environmental record, particularly whether it is just through the media or not, but we certainly get the impression in the States that they are not always environmentally aware of the repercussions of some of the actions they take.

**Mr. Cooke:** I think we share your caution. The procedure we use is, and we do this if we are dealing through an intermediate party and increasingly we do it directly, we physically qualify the facilities that we are using through visits, inspection of their licences, typically contact if it is an American facility, the USEPA, to ensure that their licences are current and a knowledge of any violations. There are some very good business reasons for doing that because American legislation never exempts the generator of a waste from liability. It is very strong legislation in this area and strongly regulated. So as it is, in effect, a generator or an exporter, one has to be quite careful about the assumption of liabilities.

In the United States, there is a great deal of, I guess, regulatory compliance work being done with hazardous waste facilities and a number are being closed. In fact, one of the reasons that over time will make it much more important that we develop our own capability is the availability of facilities in the United States or in other jurisdictions in Canada, will become increasingly difficult just simply because older ones are being closed and new ones are not being developed because of all the social and siting problems associated with it. But it is very important to know where they are going. We have a commercial practice of never paying a bill, paying anybody for the service unless we have a destruction certificate. That is just something we do contractually, so we do not pay until we know it is done and done well.

**Mrs. Charles:** When you are coming into liabilities and costs, could you give an outline, please, as to the role of those who indeed produce the waste? You who are, I suppose, as intermediary in some respects, do you charge the people from whom you pick the waste up, and outline on that procedure?

**Mr. Cooke:** Yes, it is a service we provide and we expect to be paid for it and to recover our costs. So currently, where we do not have treatment and disposal capability and we are handling that material and exporting it to other facilities, we charge for that handling, our costs associated with that handling, any storage we do and the contracted transportation and disposal costs those are paid for by the waste generator. The only exception to that are several public programs that are—we have a public program budget that in effect is a current expense of the provincial Government that we pay for, things like household hazardous waste programs, pesticide residue disposals.

**Mrs. Charles:** Are there limits to the amount of waste one person could bring into Household Hazardous Waste Days? I am thinking of particularly a story I heard where a person took over a storage building with an unknown substance in there. They called in to look into disposal of this unknown substance and ended up

having to pay, I believe it was, in thousands of dollars, \$5000, somewhere in there. They swore, if they ever found anything like that again, they would just take it to the dump and dump it. Obviously, that is not the goal of any us into having that created. So I am wondering, when it is a small unknown amount, would that be an alternative to encourage people to take it into a disposal days' situation or do you see—and indeed within the question, is there a problem in charging people who are being environmentally aware and doing the good thing and ending up with their pocketbook empty?

\* (1100)

**Mr. Connery:** Well, I think it is the policy of the producer pay. If we have people who are generating large amounts of hazardous wastes, it is their responsibility to pay for it. I do not think the general public should be responsible for paying for the disposal of all hazardous waste that is generated.

**Mrs. Charles:** Excuse me, but I was not indicating that. I certainly understand that policy but, where a person comes across—even myself, if I bought an old farmstead, for instance, if I came out and there were barrels of something out there, do I just take it to the municipal dump and get rid of it or do I phone the department and then find out I have to pay \$5,000 to \$10,000 to get rid of it? I am certain if that happens it is going to encourage anybody else, if I were not an environmentally aware and supportive person, that do not phone the hazardous waste people they are just going to rook you for the money.

**Mr. Cooke:** We will look after it. That kind of situation, a householder, small generator, who has a problem, we deal with as a public program. I mean, there are obviously some grey areas that require some judgment, but the small businesses that have inherited liabilities we have simply looked after, taken their material and do that. We certainly are sensitive to the concern you expressed.

Somebody who wants to be environmentally responsible should be encouraged, but we certainly do draw the line at a business that is a generator of this material and presumably is in a sense profiting as a business from that generation. A cost of doing business is the disposal of the waste, and some judgment obviously has to be applied in some of those grey areas.

**Mr. Connery:** Well, I guess I am somewhat concerned over your comment that somebody comes across and, because it is going to cost them money, therefore we are going to dispose of it in an unsafe or unlawful way. Of course we have to do everything we can to prevent that happening.

At Portage, there was one that I brought to the attention of the previous Government where a certain organization or business was dumping their chemical cans and so forth over the riverbank. In that particular case, they were able to determine who the generator was, who was the individual involved. The Government cleaned up the site and charged the individual, and they paid for it.

I recognize the problem that you are saying. Somebody bought a farmstead and did not realize that there was a mountain of cans back in a bush somewhere. What do you do about it? I guess, at some point in time, how much is the public responsible for disposing of hazardous waste and how much is the individual? I guess maybe, if you are buying a farm site and if it is such a major concern, then you should be aware of it before you purchase.

So I would have some concern over the corporation just paying for penny and sundry fines of this. As you know, there are orphan dumps all over the country that we cannot really charge an individual and the Government will have to pay for them. By and large, you know we provide the facilities of the household hazardous waste so that people can dispose of it at no cost and we encourage that.

**Mrs. Charles:** If the corporation does pick up the tab of it, is that strictly out of your budget or is this out of some other budget? Is there a quantity at which there is a limit that you are a good fellow and manage to pick up the tab for him?

**Mr. Cooke:** In our annual budgeting process, we have a public program budget that covers the principal things in it, our Household Hazardous Waste Days collections which we feel very strongly have some very good public awareness value—they do not capture large quantities of hazardous waste but they certainly create awareness—pesticide residue collections and disposal, PCB collections and storage from public places and those kinds of things.

The budget is essentially—we view it as a non-development cost. It would not be capitalized toward our equity in the system and the practice has been, I think both by the previous two years, to write those costs down against the deficit.

**Mr. Plohman:** Mr. Chairman, I would just like the Minister to review briefly for us the current status of the site selection for the hazardous waste disposal site in the province. What kind of interest is being shown? I believe the Minister made some reference to this in his opening remarks.

**Mr. Cooke:** As the Minister mentioned, we are pursuing a voluntary participatory siting process. We, ourselves, put together the overall criteria that we would see from a technical and environmental point of view applying to these facilities, screened the province, identified areas that we would have the most interest in, then solicited interest among communities and municipalities in those areas where we have interest.

We have had some—a current number, I changed the number for the Minister this morning because we had two calls yesterday, some 40 inquiries for visits to councils and presentations. Twenty, I believe is the current number, have asked us to come back into those communities to hold open houses. Often it is done collectively by a number of municipalities and often we have to go back or we are asked to go back more than once.

We are at the point where we believe three communities—they have indicated that they are certainly discussing it, which are the councils, are looking at going the next step of forming a community advisory group to then work with us on I guess the collective exercise of putting the pin on the map in those communities.

We have not initiated any detailed assessment in any areas and would not do so until we are invited to do so and we are really at that stage. It is really up to the communities who we have had a lot of consultation with, if there is interest, to ask us to start work and to work with us. As I say, there are several communities considering that step. One has indicated on a preliminary basis that they would like to do that. We expect, quite frankly, several more to do the same.

**Mr. Connery:** The corporation, I am very pleased with the process and the display mechanism and whatever they have to deal with. They have got a computerized model they can go through and I do not know how many Members opposite took advantage when the corporation set up in this building last year to—when was that Rick, you set up here? —(Interjection)— In November, to make it available for all Members of the Legislature and the press to have a view of the process they go through when they go to the community. I think it is very elaborate, it is very sophisticated. It provides all the information, really, that I think people need in determining whether they are interested in the particular site.

If Members have not taken advantage of that opportunity and there was a real interest to view it again, the corporation would be very pleased to do it on a day that several Members were wanting to have a look at what the corporation has developed when they go out to the communities to explain the site selection process to them.

**Mr. Plohman:** I understand that the materials that have been developed in the process are very professional and certainly very exhaustive and, from what the Minister is saying, he certainly agrees.

There are very detailed documents and processes put in place for the selection of a site with environmental concerns being paramount, I would think. I believe that has been substantiated obviously by the members of the corporation here and the Minister. That leads me to ask the Minister whether indeed the Sussex Environmental Services application is being put through the same kinds of stringent criteria as the Crown corporation is having to go through for a similar kind of operation. They have put together an application and they have already bought the site in the R.M. of Macdonald. I ask whether that site has been put through the same kinds of criteria before it was purchased or whether it will be now.

\* (1110)

**Mr. Connery:** I do not know how explicit I can be in my enunciating the policy of the Government. It is the third time in this meeting that I am telling this committee

that there is one, and one only, process for these developments. Everyone, everyone, including the Crown corporation, any private individual, any other public groups, any group that wants to come and be part of the hazardous waste handling, transportation, destruction, accumulation and putting together numbers to be shipped to other destination points for recycling—there is one process, there is one process only. They will follow that process, and I know that there have been individuals on radio and TV making quotes that it is going to be fast track and the shovel is almost ready to go into the ground.

There is no fact in that at all. They will have to go through all of the hoops that everyone else will be and it has to be determined whether it is environmentally safe. There will be Clean Environment hearings on a process such as this so there will be public input. If an individual wants to buy a piece of property, they are permitted to buy any amount of property. It is what they do with that property when it comes to being a hazardous waste facility. There is no difference between the Crown corporation or between one private sector company and another private sector company or public sector companies. There is one process and one process only.

**Mr. Plohman:** It seems that the corporate mandate of the Hazardous Waste Corporation is to coordinate the elements of the system which is referred to in the first annual report. Therefore, it has a role to play in where the sites are located. Yet the company has purchased a site and now is asking to have it licensed.

Is that not putting the cart before the horse? Should the Minister not be making companies aware when want to get into this business that there is a very detailed site-selection criteria that is required before a site is selected. Therefore, they should not be purchasing beforehand but should indeed be applying to be licensed and then go through a selection process of the same kind that the Hazardous Waste Corporation is doing in order to be licensed in this province? How can they purchase a piece of land and then go through the same process when the land is already there and it is for a specific site? It seems to me that it is a different process completely that this private corporation would be subjected to, as opposed to what the Crown corporation is having to go through.

**Mr. Connery:** I hope the Member for Dauphin (Mr. Plohman) is not suggesting that the Government should interfere with the purchase and sale of land. That is not the mandate of this Government or any Government. The mandate is that if it is going to be used for a hazardous waste facility of any kind, then it becomes an environmental issue under The Dangerous Goods Handling and Transportation Act, and there is a process to do that.

If they want to purchase that piece of property, that is up to them. They might not get a licence to do on that property what they want to do. The process is there. They will have to follow the process. Our department has been in consultation with Sussex on more than one occasion and have pointed out very clearly to them what they have to do before a licence could be issued. They will have to follow that.

**Mr. Plohman:** Yes, I understand. I do not think it is up to the Government to tell a private company whether they should buy land or not. But what I am saying to the Minister is that they should be advised of what the criteria are before they purchase the land for this purpose, if that is what their intention is. I wonder whether they had come to the Government prior to that and asked for the criteria and whether indeed this same criteria that is being applied was given to them before they purchased it. Does in fact that site meet those criteria? For example, groundwater concerns, does it meet the criteria for groundwater that would be required in the selection criteria that the Hazardous Waste Management Corporation would have to meet?

**Mr. Connery:** I will answer part, and I think Rick would have something to add to it. It depends on what an individual wants to do. They come into an area and they want to develop something. Do they go to the department first and find out the criteria? This would be the logical and common-sense thing to do. If they go and purchase a piece of land and then go to the department, that is not the problem of the department because they do not know in advance this is what that person wants to do. It is what they want to do with that piece of land. As far as the environmental impact studies and everything else is concerned, they will follow that. But I think, Rick, you had something you wanted to add to that.

**Mr. Cooke:** I am a little concerned. Just as an aside, the document, our discussion document on siting criteria is a piece of technical work done by the corporation as a proponent. It does not constitute regulation in any way. It is our proposal of the kinds of criteria that in our best technical judgment and based on our review of experience in other places that we would propose in doing our work. We have published that early in the process so that the public knows what we are looking for. Certainly other proponents may take different approaches to siting in this province. I think that only one jurisdiction in Canada actually has regulated siting criteria, that the practice in most jurisdictions is for the proponent to propose the criteria that they would apply, and that is what that document constitutes.

So I cannot comment on the other application except to say that a consultant for that proponent was in our office, I believe, on Monday to collect that document, obviously the sort of information we do provide people and we provided it to them.

**Mr. Connery:** Sussex is very aware of the process. Our department has very clearly delineated what they have to go through, environmental studies and all of the other hoops that every other group will have to go through. They are very aware of what has to be done. I have been sure that our department has talked to them. They know the ramifications of putting in an application. An application may be viewed and that application may not totally have all the information that is available even to start with it, and the department itself does not do the environmental impact studies, as the Member knows. We set down the criteria for doing environmental studies and somebody else will

do it. Then we would review to ensure that it was a proper environmental impact study, and then we would review the impacts of that study.

**Mr. Plohman:** What concerns me even more now is to hear the proposals the Hazardous Waste Corporation have put forward are merely suggested criteria, if I am paraphrasing correctly what was just stated, that these are the criteria that the Crown corporation believe should be considered when making a site selection. However, they are not regulatory so there may be different criteria, less stringent criteria applied to someone else.

I ask the Minister then, are the criteria that have been developed by the Crown corporation the criteria that the private sector will be subjected to before making decisions? Are they going to be some different, less stringent? Are these criteria too stringent? Why are they not being applied or will they be applied?

**Mr. Connery:** The corporation has put forth some very stringent criteria for site selection and other corporations, but the department has within the Environment Act—there is an Act that we have to follow and we will follow that Act very, very clearly. There are not going to be favourite positions given to other private corporations.

**Mr. Plohman:** Mr. Chairman, the question is, are these criteria too stringent for the private sector? Are they going to have to meet the same criteria that the Crown corporation has set out? In other words, does the Minister support those criteria or not?

**Mr. Connery:** Part of it, as the Member well knows, that the process of a Clean Environment hearing which will have to be part of a development of this kind allows for all of the public input from environmental groups, from professional groups, from the Department of Environment. Of course, when the Clean Environment hearings are concluded, then the report of the Clean Environment hearing, in this case in Sussex, would be a Class 1 or Class 2, would be given to the director of Environment to determine what the conditions of a licence would be.

**Mr. Plohman:** Mr. Chairman, will the Clean Environment hearings include the same criteria that the corporation is adhering to in their site selection?

**Mr. Connery:** I would think the site selection would be very similar. No site will be selected or no licence will be provided to any group that is considered not to be a safe site for that particular area or for what they are going to be handling. There will be criteria somewhat different if it is a transfer station or whether it is an incineration process or destruction process. I think that would have some bearing really on the licence and the regulations within that licence.

**Mr. Plohman:** Mr. Chairman, one final point, I think the Minister should be aware that we are very concerned about this issue. I would urge the Minister to ensure that the characteristics and requirements that form the



criteria for the Crown corporation in site selection are applied stringently to any private application that is made and that they are not merely guidelines that are perhaps suggested at this point for others. The Minister should ensure that they apply to all applications. We will watch very carefully to ensure that is the case and that there is not a cutting of corners because that land has already been purchased and the application made. That is what could happen and one that the Minister is going to have to take responsibility for if indeed it does happen.

**Mr. Connery:** I appreciate the concern of the Member, as I think every Member of the Legislature is equally committed and concerned about the environment of this province and not only the environment of this province, in fact of the Dominion of Canada and the globe, because we are not dealing with a small part. We are not individually going to be able to control it.

I solicit more input from Opposition Members when we get down to site selection and so forth to come forth and give their concerns to ensure that, and I can guarantee you that there will be no corner cut.

**Mr. Taylor:** Before actually posing my first question, I would like to of course make an observation as to the rules under which this new and very important corporation is operating and of course the rules about whether this would be a unique and exclusive corporation handling all hazardous waste material in the province or would there be, as we do have it, private sector participation available, or whether whatever the regulations are regarding siting of hazardous waste facilities or other hazardous waste functions of course can be attributable to the previous NDP administration. So I was very interested in the tone of the questioning this morning. It would seem that some of the questions are rather dripping with hypocrisy.

The questions I have would be either to the Minister or to Mr. Cooke, and they relate to the disposal practices for farm chemicals. I want to know, did the corporation have any participation in the setting up of the regulations that are there today?

\* (1120)

**Mr. Cooke:** No, we do not. Apart from the kind of consultation on regulation that normally goes on with the regulated, we do not have any input into that kind of regulation. We have worked with some of the generators, the distributors of farm chemicals on potential solutions and do provide them services.

**Mr. Taylor:** Possibly Mr. Cooke could expand and expound on that a bit and tell us just what is the corporation doing in this important area.

**Mr. Cooke:** Our current work is we provide a service to the province, in effect, collecting and disposing of the residues of materials that are collected at rural landfills, that particular program. We are also working with the Crop Protection Institute who are examining over, I believe, a two-year period to initiate an association or an industry management of containers.

We have contacted them, provided them with our thoughts. We are doing a small research project with the Natural Resources Institute right now on that particular subject. Really, in the potential expectation of being able to provide commercial services to people like the Crop Protection Institute in managing of those materials, Mr. Yee has been directly involved in those discussions and negotiations and perhaps he could expand on them.

**Mr. Yee:** The Crop Protection Institute of Canada has instituted a surcharge on containers. In the past, the current program in Manitoba is actually operated by the Department of Environment that in conjunction with municipalities crush the cans and recover the residues. The residues are then brought to the corporation to handle at out-of-province facilities.

We have initiated, as Mr. Cooke has indicated, a study with Natural Resources to look at the issue of pesticide container management and residue management. We are examining other jurisdictions throughout the world in putting together a potential management plan. We would like to roll that in conjunction with the initiatives currently undertaken by the Canadian Crop Protection Institute to raise funds and put in place a management structure for both containers and residues.

**Mr. Connery:** I would like to inform the Member that there is a prairie provinces' initiative that is of the same program so that it is a uniform program across the three prairie provinces for disposal of pesticide containers. It is a very crucial one, but it is also very important that we do not do unilateral programs which have a negative impact. We want to do it collectively so that they are all disposed of. Our concerns are to ensure that all cans are returned to the proper disposal sites where, in our case, the hazardous waste picks up the residue chemical and then the cans are disposed of in an appropriate fashion.

**Mr. Taylor:** Thank you for that information, Mr. Chairperson. This goes to Mr. Yee. Could he explain to the committee how the procedure actually works? How are the containers collected? How is the residue extracted from the cans and then transferred to this corporation for actual final disposal?

**Mr. Yee:** We receive them from the Department of Environment. Prior to that, it is essentially the municipalities that I do believe share equipment, the can-crushing equipment, for the draining of the containers and the collection of the residues. I believe the Department of Environment still supplies them with, or else I think we do now—excuse me, we do supply them with 45-gallon containers, the drums, to collect the residues. The department would pick them up and bring them to our Gimli facility.

**Mr. Taylor:** Mr. Chairperson, further to Mr. Yee, is the practice then to flush the cans to get the residues out that will be in the bottom similar to the practice in Saskatchewan?

**Mr. Yee:** Yes, the type of containers that were used several years back—excuse me, not containers, but



the draining devices, the can-crushing devices—contained units that would spray into the containers as they were being crushed with collection devices underneath. So what we are finding—and we did have in fact as part of our mandate in terms of handling hazardous waste in an environmentally acceptable manner. We have been characterizing these waste streams. So when we have collected the residues, we have them analyzed, and we are finding that they are 90 percent greater water than pesticides.

**Mr. Taylor:** Your feeling then is that they have been thoroughly flushed, I take it from that comment, and a follow-on question I have is, do you feel that most municipalities are operating in a cooperative fashion in adherence with the intent of the program and consistent with provincial regulations?

**Mr. Yee:** Well, I can only give you a brief answer to that because, as I said, the department is involved directly with the municipalities but, in my past experiences with the program, those municipalities that were involved were operating in accordance and adherence with regulations and good operating practices.

**Mr. Taylor:** Are you aware of practices other than the one set out, which is collection, flushing, containment of the flushings, crushing? Whatever then is final disposal? Are you aware of municipalities that are at deviance from that? If so, are you aware of any measures that might be taken so that we can have a more thorough, consistent approach?

**Mr. Yee:** Yes. I would concur that this is a very small program and, in effect, there are a large number of municipalities that are not involved with this type of can-crushing residue collection. As part of the initiatives taken by the regulatory agencies in the prairie provinces in conjunction with the industry, the Crop Protection Institute of Canada, they are trying to address this through the development of a superior management system for the collection and handling of these containers and residues.

**Mr. Taylor:** I brought up the issue in the House of information that I had that the Rural Municipality of Portage la Prairie, at its dump this past summer of '88, allowed for there to be crushing by bulldozer and burial of these types of cans, the information I have is without any flushing having taken place, and then said cans were set afire. Now is that practice not quite a deviation from the normal practice that we are trying to have in dealing with the hazardous residues that are in these containers?

**Mr. Connery:** That process, if it did take place, which was not, I do not believe, brought up in the House as far as bulldozers driving over chemical cans—you reported the burning. There was a lot of erroneous reporting that took place because what was taking place at that site was when it was still a Class 3 site, not a Class 1 site, and so in fact the site is well cleaned up. The crushing and burying of cans is not a part of the legislation and should not take place and, if it is, then reports of that would be followed up for investigation.

\* (1130)

**Mr. Taylor:** The class of the site that the Minister brings up, I am not sure of the bearing that has on the practice of crushing, burning of containers that still have chemical residues in it. The practice from our viewpoint and I think would be concurred in by the functional experts either in his department or here with us this morning, the Hazardous Waste Management Corporation, is at odds with what should be taking place and was not acted upon by either of the agencies, in particular the Environment Department nor by himself. It was brought to the attention of the Minister in the Chamber and in that detail, particularly on the second day of questioning on the matter.

**Mr. Connery:** I think, Mr. Chairman, that we are deviating away from the Crown corporation. We went through the Environment Estimates. There was an opportunity for the Member to raise that issue during our Environment Estimates which would have been the appropriate time to have done that. It was not raised at that point. The purpose of this meeting today is to discuss the operations of the Hazardous Waste Management Corporation. If the Member would like to send me a letter on his concerns, I would be very pleased to respond to a letter of his concerns.

I think the discussion this morning is to deal with the Crown corporation, and the role of the Crown corporation picking up chemical cans is an appropriate question. The other questions are not appropriate to the Hazardous Waste Management Corporation.

**Mr. Taylor:** I think the issue is that we have a corporation set up, I think, with a reasonable mandate that has a good track record in many ways in presenting itself to the public and what its long-term goals are, including the siting of a comprehensive waste management transfer point and disposal point. We have a corporation that is dealing with substances that we do not particularly want in our environment and has a responsibility to deal with them, one of them being chemical residues from farming.

The point that is on the table is that, in that they have that responsibility, are they really being fed the volumes of flushed residues that they should be getting. I think it is germane to the report here this morning of this committee, No. 1; and No. 2, the Minister has only to refer to two or three day's record in Hansard as to the detail of the matter. I was quite prepared to give further substantive and detailed information on the deviation from the licence on the eight or nine points that was the case in the Poplar Point Dump, which he is well aware of in his own riding. Other than, I will use the words, "kindly chastising me in the hall before the press," he chose not to get into those matters. So the question is valid, is pertinent, and what the question was is, is the corporation aware of how much volume of flushings it is getting as to how much it should be getting? That was the issue. To what degree are they handling this function in our society?

**Mr. Yee:** I guess it is sort of a yes-and-no answer to your question. The corporation is aware of some

statistics. We do not believe they are accurate in terms of the types of record keeping that has been done to date respecting the amount of materials collected, the agricultural materials. In fact, that is one of the reasons why we have undertaken to contract with the Natural Resources Institute of Study, to in fact look at what is lacking to try and fill in the gaps and look at other approaches in other jurisdictions for the management of this very issue.

So we would hope to, some time by the middle of this year, have a report that will indicate the types of volumes that have been looked at, both in other jurisdictions as well as in Manitoba, and have estimates as to what is available for collection and treatment in a management system and recommendations and options associated with what type of management system would be best suited to Manitoba, and perhaps on a regional basis the prairie provinces. We would, as a service-oriented industry, work with the Crop Protection Institute of Canada and the regulators in developing this management system.

**Mr. Taylor:** That is really interesting to hear what is happening here. Has that consulting contract, and I assume that is what it is, been issued to the Natural Resources Institute? Would it be the date—what month are we talking? You say next year. I do not know if you mean fiscal '89-90, or are we talking well into 1990? Could we just get a little closer time line on that, please?

**Mr. Cooke:** I would not call it a contract. It is a research project being done within the institute by a Master's student, as a Master's thesis. That student, I believe, graduates this spring. The work then would obviously be done in the near future, I think June. Ed is on the students' thesis committee and he advises that June is when that work is done.

I also make the point that there is a philosophical debate, depending I guess on which end of the pesticide residue equation that you are on. We are in fact kind of the tail on the dog of the equation in that the residues, after they are used, that which ends up in the landfill sites and that is drained, we end up with. I think the concern expressed is that it is perhaps a small volume of what is in fact there. It is a typical case where probably the best management of this particular problem is back through the source, and that is the approach that the Crop Protection Institute is now starting to adopt.

There are quite a number of very simple kinds of measures that are being talked about. One of them is they have found that the majority of the residues are trapped in, at least in the plastic containers, the hollow handle. A very logical thing to do is to design containers with solid handles. I have seen one estimate that would reduce the volume of residues in containers by a factor of five, those kinds of things. Now those are things that can be done by the manufacturers, the distributors and the farmers. The best place to manage that residue is over the tank, to have the farmer triple wrench rather than having the residue left in the container. So worrying the problem at the end of the pipe, as opposed to at the source, is perhaps the wrong place, and increasingly we are looking at the upstream management of that particular problem.

**Mr. Connery:** As Rick points out, the upstream side is what has been discussed at our prairie provinces' meeting. We have designated different provinces to be responsible for research on different aspects of the recycling program, and pesticide containers is a major one. We discussed the hollow handle, the configuration of the can that does not permit a good flushing opportunity. Types of cans—do we want plastic or should they be metal? Which is the best one to recycle?

These things are ongoing. Hopefully, within a short period of time, we will have some sort of direction to give to CPIC (phonetic). There is also the fact that more bulk is starting to be used and of course this may be the trend in the future where we will not have as many containers and where there will be bulk distribution. That eliminates a lot of the concern that we have, the concern that I think all of us have as Ministers, Environment Ministers from all across Canada. But, because of the nature of pesticide cans, we can deal with it in a regional fashion unlike CFCs, which is of a national concern and a global concern. We can deal with them.

That is our goal, to deal with them on a western prairie province region because they are unique. We have a common interest. I think that within a year or even less than that—in fact, there are going to be reports given to the committee when we meet in April of the CCREM Ministers and there is a lot of follow-up, stuff that will be prepared for us at those meetings. Whether there is a final answer or a final resolve, we are working with the institution, CPIC, and with the industry to come up with the best means of disposing of chemical cans. If we can eliminate the use of them, that would be that much more advantageous where we do not have any disposition.

\* (1140)

**Mr. Taylor:** I would wonder if we could ask the Minister or Mr. Carter whether the report, when it comes forward—in June, I gather we are talking about here—if that can be forwarded on to the Environment critics of the two Opposition Parties as information.

**Mr. Connery:** We will address that when we get to that point.

**Mr. Taylor:** Do I take that to be that we have no assurance of the distribution of that report whatsoever?

**Mr. Connery:** I am informed that because it is a thesis that it will be available anyway.

**Mr. Taylor:** I am glad to see here the instant openness on this matter. I would like to continue my questions here about an issue that is not one that maybe has been with us very long but there is a potential, from what I am seeing, in talks I have talked to other people across the country, the potential for a developing surplus of certain types of farm chemicals. I am referring to chemicals that are used by vegetable and fruit farmers as insecticides, as a way of retaining fruit on trees longer than normal so there is not loss from droppage on the ground and the bruising and blemishing that

would sustain and also is a way of enhancing the appearance of produce in the stores.

What I am asking is, has your corporation been requested or are you initiating contingency plans for the dealing with those chemicals in some volume, either in full or in partial containers? If farmers respond in this fashion saying, "we do not want to use them but we can not return them," sort of thing, respond to the public reaction from the dangers that have been pointed out for these chemicals as potential carcinogens to consumers, in particular though to young children in the sense of their small bodies and the large consumptions that they are encouraged, particularly of fruits. I wonder, where does Manitoba stand in the fact that we may have to deal with what were normal stocks of chemicals that would be used up that now may become from a farmer's viewpoint not desirable to keep them on the farm, not desirable to use them any further. What are we doing here in Manitoba on this?

**Mr. Connery:** Mr. Chairman, once again the Member is deviating away from the purpose of this meeting. He is dealing with agricultural problems. He is dealing with problems that deal with the environment. He is dealing with food and drug concerns and not dealing with the Hazardous Waste Corporation. I would request that the questioning today be appropriate to those actions that the Hazardous Waste Corporation are involved in.

**Mr. Taylor:** Let us get it out on the table here. Does this corporation or does this corporation not handle the disposal of chemicals of various sorts? That testimony here this morning has all been along the lines of, yes, they do and, in particular, yes, they do deal with the disposal of unwanted agricultural chemicals. The issue is before us in the newspaper. I am getting a little exasperated by the ostrich treatment we get from this Minister in that until the problems are so insurmountable and unavoidable, then we will deal with them.

Here we have got a chance to be a little bit ahead of things. We are not in a growing season right now; the ground is frozen out there. They are not using the chemicals. We got a little chance to think for a change. I thought it would be a good idea if we heard what the thoughts were on the specialists who are dealing with this issue. I think they do deal with it, which is the disposal of surplus and unwanted farm chemicals. Now can we get a reasonable answer instead of a pushing aside and saying this is not important? I know the Minister is a little sensitive—he is a vegetable farmer—but let us have the answers on the table, please.

**Mr. Cooke:** We currently have the capability and the facilities. We are developing—and we have the storage capability now and we will have the disposal capability ultimately to deal with old farm chemical stock. Our current market estimates are that even with a large volume that was taken out of service would be a relatively small volume in the system and could be easily handled.

**Mr. Taylor:** Just to confirm, Mr. Cooke says he has storage capability now in the corporation. They will

have disposal capability down the road. That is the second point I think I heard. The third one in Mr. Cooke's view is that accepting the issue as an issue, he does not expect that the volumes are going to be anything that will be of a problem to deal with. I think, if that is clear, he can just tell us "yes" in his response.

The other aspect is, are there any plans in place or are plans required to ensure that the coming surplus, because of lack of desirability to use these chemicals for these functions, that they are handled properly so that we do not have any funny things happening like the Poplar Point dump like somebody leaving it on the farm till the next guy comes or somebody dumping it, heaven forbid, in the local ditches or creeks or anything like that. Do we need plans? Are you preparing plans?

**Mr. Cooke:** We will have the management capability and do now. We can arrange for the disposal of materials like that now. The other part of your question, I believe, is related to regulatory enforcement which is not our responsibility.

**Mr. Taylor:** Just to try and wrap this up then, have there been any approaches to you by the Environment Department, for example, any other potential agencies, the Agriculture Department or has there been the other way around, any initiatives by yourself to the other agencies or to other interest groups in dealing with the matter? Are you prepared to say as to which way you would recommend going on this in the sense of proactive as opposed to reactive after something comes about?

**Mr. Cooke:** I guess the answer—have we been approached by regulators identifying a new farm chemical that is on the verge of being banned or something like that is to my knowledge and I will ask Mr. Yee to check his knowledge as well—I am not sure that anything has been identified recently. We periodically have old stock identified for us by generators and farmers, and do look after that.

**Mr. Chairman:** Any more questions? Mr. Harapiak.

**Mr. Taylor:** Mr. Chairman, I do not think we heard. Mr. Yee was about to respond.

**Mr. Chairman:** Okay, Mr. Yee.

**Mr. Yee:** My only response would be to concur with Mr. Cooke. I would also indicate, if we were to liken it to the past issue of DDT, a similar thing would occur where the product would be banned. We would have the capability of storage, as Mr. Cooke said, to store and of course export the material for proper treatment and disposal.

**Mr. Taylor:** The very significant difference on DDT, and I will lead that to a comparison, is that DDT was studied for years. The solution to the disposal was studied for years and it was a long-term solution. It was very up front. There were time frames that were known by everybody as to how it would come out of service and how it would be disposed of. That was related to study

and banning. In this case, what I am talking about is in advance of banning, potential voluntary removing from service. Therefore, how do you deal with it, because it may happen faster than one in which it is a long lead time in the sense of an agency doing a formal banning? We may end up in one of these funny situations where there is close study going on, a reaction may come in the sense from the public to the farmer, the farmer saying, look, I do not want my product rejected, therefore, I will voluntarily pull it out. So in a fairly fast time frame, in a few months as opposed to a few years, you may end up—and that was why I was asking those questions. So could I just have a clarification on that context, voluntary removal from service? How do you deal with the stock? Not a banning context, that is the last one.

**Mr. Cooke:** I think we would have the capacity and the capability to respond, in that kind of situation, quickly and efficiently.

\* (1150)

**Mr. Harapiak:** Mr. Chairman, it is recognized by all that the environmental field is changing very rapidly. Our practices as a society as a whole have been such that we have not been aware of some of the consequences of carrying on. I think because of the media making us more aware and more knowledge being gained, we are becoming more aware of how we are going to be affecting future generations. For instance, the Brundtland Commission approximately four years ago came out with a formula of how they could deal with the ozone layer, the depleting ozone layer, and yet now we get a report which says that the scientific community says that the ozone layer has depleted more than it was two, four years ago.

So it is rapidly changing and I guess the same thing with the scientific community who said at one time that burying waste was an acceptable practice. Now the scientific community is coming out and have made a case that burying waste in clay and rock is not safe and that, after a 100- to 500-year period, the toxins and wastes can drain into our environment, so it is not an acceptable way to handle it.

There is a mind set on the part of some citizens that we have to have a safe disposal for the hazardous wastes that we are creating as a society, but people are saying, do not locate it in my backyard. So somebody is going to have to. I do not believe that the burial of hazardous wastes should be tolerated, regardless of their estimated 100- to 500-year safe period. Our society created the hazardous wastes and I think we have a responsibility to deal with them and not pass them on to future generations.

I do not think that our Governments can afford not to spend it. We have to spend it in order to leave a safer society for future generations. We, as a Government, did not do all we should have. We recognize that there were some shortcomings but we did create the Hazardous Waste Management Corporation, which everyone has agreed is operating in the way it should and we are working in the right direction.

We have passed The Environmental Act and we recognize now that there are some shortcomings in that Environmental Act and there needs to be some change even today.

To suggest that our questioning is hypocrisy is ludicrous. I think that the Liberal Member should look at his role at council in the City of Winnipeg. Maybe he is being hypocritical in how he is addressing some of his questions. Some of the issues that were outstanding with the City of Winnipeg back when he was a councillor are still outstanding today. He did not do a thing about it when he was a member of City Council. So I am saying that none of us should address themselves holier than thou. We all have shortcomings; we work to the best of our capabilities.

I just want to ask a question. Is burying of waste part of the solution that the Hazardous Waste Corporation is looking at?

**Mr. Connery:** No. Rick to answer, then after, me.

\* (1150)

**Mr. Cooke:** We will not deposit anything, any residues that have not been treated and stabilized. The technology that would be applied would be the treatment, the rendering of the material non-toxic, non-harmful to the maximum degree. Material would be stabilized or immobilized in a matrix and then put in a repository. That repository could be an in-ground repository or could be an above-ground repository. It depends on the type of site involved. That is, in effect, a sealed cell and chamber. It is not the burying analogy to a landfill site, a dump is not correct.

So the concept of sealing the residues of the treated waste is very much in part of our plans that may be inground. That will depend on the engineering and the site, but that site is then monitored in perpetuity to ensure that there is never any contamination leaving from it, quite a different proposition than the conventional and past practice of burying all wastes in the ground.

**Mr. Connery:** Mr. Chairman, I want to agree with the Member for The Pas (Mr. Harapiak) in his comments about the hypocrisy, and I was going to deal with it in my closing remarks but it was brought up. I think when we come to committee we are dealing with issues and we are looking for answers to concerns that we have. I want to assure this committee that I disassociate myself, in absolute terms, from those comments made by the Member for Wolseley (Mr. Taylor). I have known the Member for The Pas since I came into this Legislature. I have disagreed with him many times, but I know that this is a very sincere person and is not a hypocrite and has a very deep concern for the environment. So, from the Government's and my Ministry's position, I apologize for the embarrassment that he would be put under.

**Mr. Harapiak:** Two final questions, is AECL a part of that study? They seem to have some expertise in that whole area of burying waste. Are they a part of the study, what commission?

**Mr. Cooke:** The technologies used by and developed by AECL for high-level radioactive wastes are quite different from the technologies that we use. Some of them may have application to hazardous wastes and we have looked at them and do some small amount of work with them. Quite frankly, the technologies for the high-level radioactive waste problem are very sophisticated, very expensive and, quite frankly, do not offer us any advantage over what is commonly available in our business, and that is our current assessment.

**Mr. Harapiak:** My final question is dealing with the waste that has been getting quite a bit of attention recently, and that is the chlorofluorocarbons. I would like to ask the Minister if there has been any thought given to bringing in legislation banning the use of CFCs in the Province of Manitoba.

**Mr. Connery:** Absolutely. We have also asked the Hazardous Waste Corporation to do some research for us and to have some thoughts and ideas. Our Department of Research and Planning, the Department of Environment, is looking very, very hard at CFCs. For the edification of the Members of this committee, I would like to make it very clear that it was our department, the Province of Manitoba, under my assistance or request that the ozone layer and CFCs be put back on the national CCREM agenda. This was communicated to the CCREM Deputy Ministers' Meeting in, I think it was Toronto, but regardless, on January 22, where we asked because of the importance of the ozone layer and CFCs that this be put on.

My concern with the CFCs is that we not do a knee-jerk reaction. I am concerned that we develop it in a national concept, because provincially we do not have the capabilities of developing a regulation that is going to be effective across this country. We need to dispose of every CFC in the quickest way possible. Unfortunately, there are some instances where there are not alternatives available to replace CFCs. As was made aware to me, your household refrigerator is using Freon-12 and we cannot use other gases. There is no other gas available to replace Freon-12. The alternative would be to dispose of all refrigerators. Before we throw them into a land site, we are going to have to get the Freon out of those refrigerators.

This is all part of regulations that we want to draft. I would hope that we would have a national draft regulation dealing with CFCs and that as a province, if stricter regulation is required, that we would then have a stricter regulation in place.

There will be a lot of public attention drawn to the impacts of CFCs and information that people need to be aware of in dealing with them. What are CFCs? There are not CFCs in the manufacture of these white plastic cups; in fact, there never has been. There is a lot of misconception of people who do not understand. I think we have to be very clear before we make statements that what we are dealing with is not honest, because we can have a detrimental effect on industries and businesses that may be perceived to be using a product that has CFCs used in their manufacture and realistically not.

I appreciate the question of the Member for The Pas (Mr. Harapiak) because it is a very—well it is our future.

It is the future of this planet. We are not dealing with the destruction of CFCs and who knows what else is out there. You know, all of a sudden we know about CFCs, and we did not for a long time. What else are we doing? What else are we creating that maybe have equally detrimental effects to our planet? So we have to be very concerned.

\* (1200)

We are dealing with CFCs as quickly as we can, but it will be done in as responsible way as we can deal with it. I can say that it was probably the main concern that has been on my desk, and my file of ozone layer concerns and the CFCs have been on my desk since about the first month that I was in office. It has never left my desk and you can come with me right now. If anybody wants to question my package on CFCs, it is on my desk right now.

The concern that I have for it is probably my No. 1 concern environmentally because we can have acid rain destroy a lake and we can bring it back in time. If we destroy the ozone, we as a planet, we as people, are gone and our children, grandchildren, great-grandchildren. These are the ones who are going to suffer. So there is no question that this Government and this Ministry considers the ozone layer and the destruction of CFCs and the banning of their use be as quickly as is humanly possible.

**Mr. Harapiak:** I am glad to see that you are bringing legislation in, because I think that has to remain the highest priority in the whole environmental field, because we will not have a universe to be concerned about if we do not correct it very shortly.

I want to make one final comment. I did attend a public information session that Hazardous Waste Management Corporation had when trying—what they are doing as a site selection. I think the people were very professional when they were making their presentation. They gave you all the information that you wanted and I just wanted to commend them for the work that they are doing in that whole field.

**Mr. Taylor:** I am not sure where the Honourable Minister got his information that there never were CFCs employed in the production of styrofoam. The information, for the record, has been that in the past most styrofoam production had the use of CFCs somewhere in the production. Much of it today, that is not the case because of the awareness of the danger to the ozone layer from CFCs.

That misinformation is maybe typical of the same thing that we had with PCBs, where the only danger of PCBs is if they are burned and the furans produced. We know very well now that PCBs in the ecosystem are a problem and this Minister did not agree with this. There was workplace hazard potentially from PCBs as well, but I guess learning comes very slowly.

The question here is where in the priority list for this corporation is the issue of CFCs in the sense of if we are going to be looking at other gases for various types of machinery? Are they working on this on a priority



basis of substitution materials, the gathering of materials out of the systems of the equipment when it comes out of service and is junked? Where is this in the system of priorities of this corporation?

It is one thing to say I am dealing with it, and all that, but this corporation is trying first of all establish itself in the public's eye. It is trying to grow at a reasonable pace and maintain the capability and professionalism that it has demonstrated to date. It is trying to come up in a fair fashion with a site for its main operations. It is being called upon as consultants and functional in many other ways. Where does it fit in the hierarchy of objectives and goals over the next few years?

**Mr. Cooke:** As the Minister mentioned, the Minister has formerly written to corporation requesting us to do a feasibility study related to the collection and the destruction—the operational aspects of the CFC problem. I believe we received that letter last week. The work was initiated immediately under Mr. Yee's direction because we do think it is a high priority. It is a multidimensional problem. There is a significant regulatory legislative component. This has already been discussed, but I think we can quite quickly and on a priority basis look at what kind of operating capability would be required to support legislative and regulatory initiatives. So I think all of us with I guess environmental interests and values, while our day-to-day work might focus on and we may well become consumed on things like in the case of hazardous waste generally, there are some very broad environmental issues and the ozone layer is one of them and I think we attach that kind of priority to it.

**Mr. Taylor:** I am pleased to see that sort of initiative coming. I think it is a bit of a turnaround and I think the Minister has taken the right step in writing to the corporation and requesting that sort of work be carried out. I, in all sincerity, say "turnaround" because, when the Liberals brought this up six months ago in the House and it was the Member for Transcona (Mr. Kozak) addressing the Finance Minister, Mr. Manness, the question was what was he prepared to do as a Finance Minister in dealing with the fact of products coming into Manitoba that were CFC producers. The example was given of cans—and I am not talking about hair sprays and stuff like that, although that is starting to change—but we are seeing in other than just toiletry products. This was a product in a compressed gas can that emitted large volumes of CFCs, was noted as such on the can. Its sole purpose was—and there are other gases available for this. It was not the technical problem like Freon gas in a refrigerator of which, yes, there are some design criteria. The purpose of this can was to sound the horn on a speedboat. That is its sole purpose in life. That is what it was created for.

It produces ridiculous volumes of CFCs in it and it says so right on the side. The suggestion to Mr. Manness was an initiative to the federal Government so that this product would not be brought into Canada at all. It was an American product. It is available at places like Canadian Tire for \$7.99 on a regular basis.

An alternative solution that may take time is a formal banning of a product. The question was asked of Mr.

Manness, would he be prepared to bring in punitive taxes at the provincial level to discourage the actual sale. It would become too expensive to use.

The answer from Mr. Manness, and you can check back in the Hansard, Mr. Minister, on that, was that any move on his part or the part of the Filmon administration is that would be imprudent, either of those initiatives. I was taken aback. I think so were a heck of a lot of other people, whether those are active environmentalists or the general public. To see a turnaround today and hear it for the first time, I am pleased, given the previous track record.

**Mr. Connery:** To make the record straight, there is no turnaround. The concern about the environment, the concern about CFCs and all of these other things, radon, have all been there. The federal Government is addressing these issues and this is the reason that these issues have to be addressed on a national basis because, as one province banning them, we are banning a very small amount, nevertheless important but very minute. The importance is of a global nature and if we can attack the issue on a national scale, as Canada has with the task force report, which is now being adopted by other countries as being a very, very important document, a very significant document, to deal with the environment and sustainable development.

We can have an impact on the rest of the world. From a province banning it we will have a small effect, but we are not going to protect the ozone layer ourselves. We have to do it globally. This is what we are trying to do on a national basis along with the federal Government to ensure that these things are banned not only in the Province of Manitoba but they are banned in all of the provinces in Canada, and then be able to say to the world, look, it can be done, let everybody else get on the bandwagon with us.

The Montreal Protocol has to be speeded up, but we have to have other things in place before we can achieve that goal. To say to people you cannot have a refrigerator with Freon-12 in within a year would mean that we would have to dispose of all the refrigerators in Canada or Manitoba, all of our commercial units in the retail stores. All of those refrigerators have Freon-12. We have to have a replacement gas.

What we want to ensure is that that gas is not allowed to escape into the atmosphere. The fact that it is in a compressor functioning is not of a hazard to the ozone layer. It is only of a hazard when it is released into the atmosphere. What we have to ensure is that when devices having these gases in them are going to be disposed of in some method, that the Freon gas be captured prior to it being put into whatever disposal unit. We have to recapture that Freon.

Today there is no absolute safe way of disposing of Freon. Incineration is the only thing at this point, but it still releases hydrochloric acid which is of hazard to the air. That has to be addressed. The proper disposal of it is something that has to be worked on by the scientific community to come up with a proper way of disposing of it.

**Mr. Taylor:** I think Canada can be proud of the role it played, regarding getting the Montreal protocol signed



as a document, and the efforts that have come since then to encourage its application around the world and, as we know, there are certain countries resisting the application of that protocol.

The fact of the matter is that at the time that the protocol was signed, the technical information that was available, largely by satellite measurement as to the problems with the ozone, particularly in the polar areas and the now holes that we recognize that are there, actual gaps in the ozone layer, that information was dated. Information that has come out more recently has indicated something rather more alarming in the sense that the holes are larger. It occupies a larger percentage of the global cover than was before and that is at both polar areas. The dissipation of the ozone layer, first of all, its thickness and also increasing the size of the hole, is going on at an accelerating rate to the data that was available to those scientists and politicians at the Montreal Conference with the resulting Protocol.

Now, given that the information is now on the table, I feel that each province has to play its role and the goal certainly is let us show the world what we can do as a nation. I have no problem with that. I think that is quite logical and reasonable and is a goal we should have.

Why is it that Manitoba cannot seem to show leadership on an issue like this or any other issue in this matter? In fact, we end up seeing a criticism of a province that is the largest producer of CFCs, the largest consumer of CFCs, and shows leadership, and I am referring to Ontario. Instead of saying I commend Ontario, let the rest of us get on board as fast as possible. What we do is we see more of the "after you, Alphonse" routine and the criticism of Ontario for moving.

\* (12:10)

I think that was an incentive to the federal Government for the new federal Minister, who is very new at this, to get on side and make the statement ten days later. Instead, we have got criticism coming out of Manitoba saying, gee Ontario, why did you not wait for the rest of us? Well, I would not want to be waiting for some of the other provinces, I can tell you, whether it is next door here with the Devine administration or heaven forbid waiting for the Vander Zalm administration in B.C. They are not exactly leading lights in environmental issues, and I think Manitoba should say, well, we are surprised you moved so fast, but we are going to be with you as fast as we can to catch up.

I think that would have been a more effective response, and the Minister's comments today about the initiative with the corporation are good but the juxtaposition of that to his press comments two weeks ago leave me with a bit of a question. Which is the position of the Minister and where are we going vis-a-vis CFCs and leadership on the environment in general?

**Mr. Connery:** Well, Manitoba has played a leadership role in many aspects of the environment. I think the

Member would be aware of the PCB fire in St. Basile le Grande, where a major volume of PCBs were burnt, hazardous to the people. Fortunately, nobody injured, nobody has been ill from it but, you know, it was strange that Members of the Liberal Party knew about PCBs in Manitoba prior to that fire but made no announcement until the fire took place, the morning following.

We have to be very cognizant of all of what is going on in this situation of being environmentally responsible and being true environmentalists. If we have a concern, I think those concerns are best addressed immediately.

Now, with the PCB fire in St. Basile le Grande, I was the chairman of CCREM. I immediately phoned our federal Minister of Environment and requested an emergency meeting on PCBs. We met in Ottawa and we drafted a national plan, a national program for the safe storage of PCBs, and Manitoba had one of the first regulations in place, a very stringent regulation in place from a provincial nature, which was even more stringent than the federal one, which has been accepted by the federal Government, and we did it on a national basis. This is what I had hoped would have happened with the CFCs, that we would have had a summoning to Ottawa by whoever would have, and I would have applauded that initiative. I am not condemning Ontario for having put in place a regulation. I am saying that we should have done it from a national perspective.

Manitoba has also taken the lead on radon. We are drafting a regulation for radon that no other province has, but what Manitoba is doing at our next CCREM meeting is going to be sharing our information on radon and our regulation to help other provinces develop a similar program and regulations on radon.

So environmentally, I am proud of what this Government and our department and our employees are doing to protect the environment in Manitoba, but environment is not restricted to Manitoba. We are not in a little confined area where the environment—where we can protect ourselves while the rest of the globe dies around us. We die with it. What we have to do is be responsive to the needs and try to encourage everyone on this planet to respond responsibly.

**Mr. Taylor:** The Minister brings up a point about the knowledge within the couple of Members of the Liberal Caucus as to PCBs and I believe he is referring to the north Transcona CPR yards. I am sure the Minister would not want myself or any other Member to go off half-cocked on an environmental matter and would want us to make sure that we have adequate knowledge on it. I had knowledge for two weeks.

I went to the appropriate agencies in the province and had trouble getting through to them but, when I did get through to them, I got the information. I requested information and they told me what they had. They sent me that information and, once I had studied it and checked with other independent sources as to what information I had, that is when I brought it out. It happened to have been coincident with the event.

What it did is it underlined the inadequacy of the knowledge of this Minister on PCBs and his inadequacy

in response to the situation of that context in north Transcona, because the interesting thing is that the Minister is saying that the provincial regulations are more stringent than that at the federal level. That is all very interesting because this Minister said everything is okay with that boxcar which was located where it was with dry brush around it, with a wooden floor, in an unlocked context, with improper warning signs, with no lighting, no fencing or anything of that nature. Yet his federal counterpart of the same Party is on national radio not a week later saying that the sort of things that we requested in the House are what are required to give adequate protection in a PCB storage site.

Very interestingly, in another week, guess what? CPR, which happens to be through the Railways Act under federal jurisdiction, put in place the very thing that the federal Minister should be and which his civil servant here in Manitoba said were not needed and which this Minister, sitting at the end of the table said were not needed—very interesting! I find that really appalling that you would have the gall to bring up that issue given the past poor performance on it.

The lack of knowledge on the dangers of PCBs in a non-fire context, the danger from CFCs and their involvement in other product production is just indicative of the fact this province is not on top of these types of issues. Our standards need review and questioning. When first brought up in the House the Minister said there is nothing wrong with our standards. The next thing you know, there is a regulation review under way as per our request. We did not know about the sites involved and he kept saying the sites. He knew the numbers.

**Mr. Connery:** Point of order, Mr. Chairman.

**Mr. Chairman:** Point of order, Mr. Minister.

**Mr. Connery:** This committee is here to review the work of the Hazardous Waste Corporation. I think it is incumbent upon the Member if he has a question to the Hazardous Waste Corporation that he address the corporation or myself as a question to the Hazardous Waste. To deal with environmental issues that were not dealt with when we had the appropriate Estimates process, I think, is not right. We are here to discuss the Hazardous Waste Corporation. I wish, Mr. Chairman, that the questions would be relevant to that particular issue.

**Mr. Chairman:** On the point of order, Mr. Taylor.

**Mr. Taylor:** Yes, that is a very interesting point of order for the Minister to be bringing up when he was the one, Mr. Chairperson, who introduced the issue about the PCB situation in north Transcona. Maybe the Minister better get both gears and gearshift meshing properly here because he seems to be doing one thing and, five minutes later when stung by some criticism over an issue he brings up, he is saying that is not right to bring it up. I would suggest then he does not bring it up in the first place.

**Mr. Chairman:** Okay, with those comments and this point of order, I wish we could go back to the report that is on hand and if there are any further questions.

**Mr. Bob Rose (St. Vital):** I just recall that about a year-and-a-half ago in St. Vital there was a substantial leak from a filling station, and some estimates are up to 30,000 litres, and eventually a lot of this seeped into the apartment block next door and it was evacuated. I am wondering as I am sitting here as to whether your corporation, this corporation, is called in on instances of that nature and what their role is if they do.

**Mr. Cooke:** We are called in periodically in an advisory capacity for gasoline contamination spills. One of the materials that we will develop a capability to dispose of is contaminated gasoline and diesel fuel. Currently, that is burned. The Department of the Environment normally looks after the clean-up and any actions that are taken in terms of an underground storage tank leakage or major spill, which I believe was the case with the one in St. Vital.

**Mr. Rose:** Hitting on the size of it, Mr. Chairman, I am wondering if it was—I guess the wrong word is mandatory—but do you automatically get called on these? In other words, if there were several spills during the year, would you be called in on them all, let us say, for instance, that were over 1,000 litres or estimated to be that size?

\* (1220)

**Mr. Cooke:** The call-out would be an environmental emergency response call-out. Our people are available to the provincial emergency response teams which are run by the Department of Environment. Some of our people are trained emergency responders, Mr. Yee personally, who has I think set up the first team in the province when he was with the department. So that our participation is really in a support role.

**Mr. Connery:** The corporation will facilitate disposal and cooperate with the Environment Department, which is notified when there is a spill. That is where the response goes to, to the Environment Department. Then we will deal with it in whatever way. If it is a major spill of some location, and there was one in the City of Portage la Prairie not too long ago, and they hired consultants who were brought in then to advise as to the appropriate way to clean up and dispose of the hazardous wastes.

So there is a very specific process that is performed, and there is a responsibility from anyone when there is a spill. It is a mandatory regulation that they report it to the Department of the Environment. Then, if it is necessary, we would call in the Hazardous Waste Corporation to assist.

**Mr. Rose:** Would you be able to acknowledge or confirm a report that I have this morning that there is a major spill in the North End of Winnipeg, and would you have responded to that spill if there was one, or have you responded to such an alluded statement?

**Mr. Cooke:** I think, as I indicated before, we would be called if there is assistance needed. The question really should be requested to the emergency response teams within the Department of the Environment.

**Mr. Rose:** I might say, Mr. Chairman, that I would not pass along the location or name. I just got it before I walked in here. If I can confirm the location, I will pass it along to the Minister.

**Mr. Connery:** I would just like to inform the Member for St. Vital that, when things of this nature happen, there is a fact sheet prepared for the Minister, as other Ministers are aware, especially in Environment. As soon as they have done an investigation—I should not say an investigation—as soon as they have been made aware of it and they have done a very preliminary investigation, a fact sheet is presented to the Minister to make him aware of what has happened.

In the meantime, the department is reacting and acting to what has to be done in the case of notifying local people if there is a hazard or just in cleaning it up. Containment could be part of it. There is a response mechanism that is in place to respond to that.

**Mr. Rose:** Just if, Mr. Chairman, I could deviate from the real sense or reason for this meeting and perhaps the Minister would respond as to whether he feels that when certain companies have multiple spills, especially in a very short period of time, if the legislative penalties are adequate to act as a deterrent in these cases.

**Mr. Connery:** Yes, there are now. Prior to this, there were not adequate penalties available. It was cheaper to dispose of a hazardous waste in an illegal fashion and, if they got caught, pay the penalty. It was only a fraction of what it would cost to dispose of that product in a proper way. But we are looking at \$50,000 or \$100,000 fines and/or six months in jail for executives and, at the federal level, fines going as high as a million dollars for indiscriminate disposing of hazardous wastes.

So I think the penalties are there. It is apprehending and being able to lay charges to make sure that people are aware they are going to be fined. There is no concern about our department when we do apprehend somebody deliberately doing something like this that we would fine them. Now, in a spill, a broken pipeline from a gas tank or whatever, which is accidental in nature, it is not the desire or goal of the department to penalize these people but to work with them to clean up. The penalty itself of the clean-up is very significant.

**Mr. Rose:** To make one last comment, I would say that we are talking about things that are deliberate and things that are accidental. But when a gasoline company neglects to do what the regulations call for as far as measuring their gas tanks regularly and neglect that, particularly in cold weather, and then they jeopardize the lives of people right in the immediate vicinity. I think also those people should have the maximum fine thrown at them, particularly when the same company has the same sort of incidents on a recurring basis.

**Mr. Connery:** I should say to the Member, and while I gave some answers—and I do not mind doing this—you know, it is back in the Environment Department. If the Member has some concerns and would like to speak to me privately, I am quite happy to

accommodate. I think we have a joint concern. The environment is not restricted to the Minister or this Government. It is a concern of every Member of this Legislature and I appreciate those comments. It is a concern of every citizen of this province.

**Mr. Chairman:** Any more questions? If not, shall the First Annual Report 1987 for the Manitoba Hazardous Waste Management Corporation pass? Pass? Against? All those in favour? All those against?

It shall not pass and so I guess this committee will have to sit again on March 7. I find it strange though, as Chairman, here we have some more time available and that we are not passing the report. If there would be questions, I think they should be addressed. Each meeting we are getting charged. I think also as a cost-saving measure we should try to pass the report and we should not try to delay it intentionally. So with that, I just want to bring that to the attention of the committee.

**Mr. Taylor:** There is approximately five minutes left, Mr. Chairperson, until we must adjourn. I am aware of two other Members, one on our side and one on the NDP side, who do have other questions. We are aware that they were not going to have enough time to ask the questions today given the volume of questions they were aware of. I think it is only fair that we proceed with the second day as had been contemplated. We may not take the whole of that time, but to suggest that we are going to ram it through in five minutes and strictly on the saving of the very tiny amount of dollars involved with a multimillion dollar corporation's annual report, I do not think the saving is there for the issue involved. This is really serious and I think there is a lot of sincerity on all sides on what it is this corporation is trying to do. This is its first chance to get out there, and I think we should give it the chance it deserves.

**Mr. Chairman:** Thank you for the clarification. Mr. Minister.

**Mr. Connery:** I would never suggest that anyone who is here is not here being sincere. I would hope that everyone who comes to these meetings are sincere. But the fact that the other Members are not here to have participated in what has transpired to this point I think makes it repetitious a lot, because there could be some of the same questions. Had they been here, a lot of their questions might have been answered. I think as the Chairman has properly pointed out, each Member of this committee is paid an additional per diem for attending the committee over and above their regular salary. While there is no intent and no desire to ramrod any report through, I think it should be incumbent upon all people who have an interest to attend the meetings and to be made aware of the previous discussions so we do not have repetition.

**Mr. Chairman:** Okay, this report has not passed, so we will sit again on March 7.

Committee rise.

**COMMITTEE ROSE AT:** 12:27 p.m.