

September 19, 1979

Mr. David Crane
Editorial Page Editor
Toronto Star
1 Yonge Street
Toronto, Ontario
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Dear Sir:

The Ontario Ministry of the Environment finally announced the control order to Reed Limited to clean up water pollution at its mill in Dryden after a six month extensive review by the resources development committee of the Legislature. No sooner did the government serve the papers on Reed, than it announced that it would appeal the order.

This highlights the unfair and toothless procedures under Ontario's Environmental Protection Act. Under that statute, a pollution abatement order cannot be enforced until after all appeals are heard. Reed has the right to appeal the order to the Environmental Assessment Board, to up to three levels of court, and to the Minister of the Environment, a process which could easily take two years. If those who believe Reed's mill in Dryden is not financially viable in the long run, and that the company intends to abandon the mill within the next few years are right, the mill may be shut down before the control order ever takes effect. Who will clean up the water pollution then?

This appeal process is completely one sided. Downstream neighbours who might be affected by air or water pollution have no right to participate in these appeals. Although a company can appeal a control order which it feels is too tough, no one has the right to appeal an order which is too lenient.

The Canadian Environmental Law Association wrote to Dr. Parrott, the Minister of the Environment, on May 30th, asking him to amend the Environmental Protection Act to remove this disparity, which gives an unfair advantage to polluters over the public who may be adversely affected by their activities. The letter has never been answered. The Reed case proves what environmentalists have been saying for years and what the resources

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development committee recently stated in its report on Reed, Inco and acid rain - that the Environmental Protection Act isn't working and should be substantially amended to allow public involvement at all stages of the control order process, to make public funding available to interest groups, set minimum fines and increase maximum fines, and initiate prosecutions as soon as a company has failed to meet a control order deadline.

Sincerely,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

John Swaigen
General Counsel

JS:afc