

RECEIVED JAN 05 1982

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Ms. Anne Wordsworth
Pollution Probe
12 Madison Avenue
Toronto, Ontario

Dear Ms. Wordsworth:

Thank you for the suggestions contained in your letter of October 26, 1981.

I am very pleased to have your ideas regarding Hyde Park, SCA and "S" Area and I'll address them in that order.

1. Hyde Park

I am told that it is not unknown for interested parties to directly petition a Judge considering a case under the U.S. judicial system. However, I trust you will understand that it is not in accord with Canadian procedures and is thus, an initiative I am not prepared to take.

We are continuing to use all diplomatic and institutional avenues open to us, and look forward to continuing our complementary relationship with Probe, Operation Clean and CELA as the situation develops.

2. SCA

I agree completely that Environment Canada must take a stand on the proposed modifications to the SCA permit. On October 20, 1981, the Canadian Embassy in Washington informed the United States of Canada's position that the design and operation of chemical treatment facilities, and particularly new facilities, must be consistent with the provisions of the Great Lakes Water Quality Agreement and specifically, with the commitment by the Parties that "the discharge of toxic substances in toxic amounts be prohibited and the discharge of any or all persistent toxic substances be virtually eliminated".

The Government considers that the necessary repairs to the Niagara Falls, New York wastewater treatment plant should be completed before any further discharge into the Niagara River, such as would be permitted by expanding the SCA facility, is contemplated.

3. "S" Area

Please be assured that you have my offer of technical assistance once again, as you had at Hyde Park. I realize that it is difficult to be specific about what kind of assistance you will need at this point, but I do believe that both you and we would benefit from better planning. Accordingly, I would like to suggest that you detail the exact nature and timing of the sort of advice that you would like from the Department. I would ask that you speak to Kim Shikaze, Regional Director of the Environmental Protection Service to discuss this further.

Regarding participation of staff of the Department in the "S" Area proceedings, I would like to offer their services once again, but make it clear that this assistance is not to extend to participating in the legal affairs of the U.S. courts, including hearings, if they are held.

I sincerely wish you and your colleagues well with your efforts. Working together with you all has been rewarding and constructive in protecting the quality of the Canadian environment.

Yours sincerely,

Original signed by
Original signed for
John Roberts

John Roberts

c.c. T. Vigod - CELA ✓
M. Howe - Op. Clean