

RECEIVED SEP 28 1981

Department of External Affairs



Canada

Ministère des Affaires extérieures

Ottawa, Ontario
K1A 0G2

September 24, 1981

Dear Ms. Vigod,

In the absence from Canada of the Secretary of State for External Affairs, I have been asked to respond to your letter of September 8, 1981, regarding the proposed Hyde Park settlement agreement.

As you are aware, the Department of External Affairs led a delegation to Washington and to upper New York State for a meeting and an on-site visit to gain further information with respect to this agreement. As you correctly state in your letter, U.S. officials informed us at that time that the settlement agreement outlined a course of action to gather data on the nature and extent of chemical migration from the Hyde Park site; technologies to contain the site could then be established based on that data. We were informed that, if study results were to point to removal and disposal of the landfill as the preferred course of action, the technology available to undertake such a task would be seriously considered. We were further informed that the Hooker Chemicals and Plastic Corporation is on record as agreeing to their obligation "as long as there is endangerment".

External Affairs has yet to receive from Environment Canada an evaluation of the agreement based on information obtained at the bilateral meeting. Also we were not previously aware of the possible discrepancies in its interpretation that you have raised in your letter. If Hooker's interpretation of its obligation differs from that presented to us by the U.S. Government at the meeting in July, this Department would, of course, be willing to seek clarification. Indeed we are anxious to do so, as this matter is of serious concern to the Canadian Government as a whole.

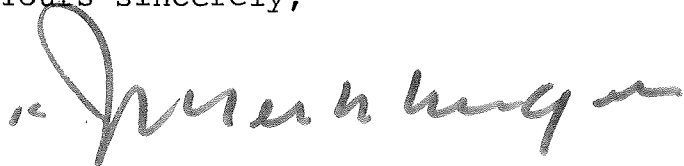
.../2

Ms. Toby Vigod, Counsel
Canadian Environmental Law Association
8 York Street, 5th Fl. South
Toronto, Ontario
M5J 1R2

2.

If you still consider that a meeting on this matter would be useful, I would be pleased to meet with you at any time that you can come to Ottawa, or we might try to meet in Toronto at some point.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "K.J. Merklinger". The signature is fluid and cursive, with a large initial "K" and a long, sweeping underline.

K.J. Merklinger
Director
U.S. Transboundary Relations Division