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# ❖ Speaking Out ❖

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Issue 26 Dec. 2004

The Truth is Mighty and Will Prevail

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## Citizens Coalition Public Meeting

by: jim tolnai

Last night Nov. 30 the Citizens Coalition of Orillia and Area held it's second public meeting regarding the Molson Swamp MURF. Very interesting evening with lots of new information coming to light. Eric Gillespi our lawyer made a trip from Toronto at his own expense to let the people of Orillia know how the lawsuit against the city is progressing. Seems the city has decided to appeal the injunction. You know the injunction that councillors and Mike Miller city solicitor made light of claiming the Coalition won nothing. Hey if the injunction was mute then why spend tens of thousands to appeal it?

For those of you who did not see the Monday night council meeting it seems according to Ralph Cipolla the city has spent \$100,000 in legal expense. Now excuse me but \$100,000 for less than a day and a half in court? What are these guys doing? Drunken sailors are more careful with their money than these people are with ours. It would have been \$80,000 cheaper to just do proper testing and prove to us that indeed the soil is not hazardous. Instead the Coalition will test these soils at our expense while the city squanders your hard earned dollars. If as expected the test shows the soil is hazardous these guys have painted themselves into a corner that will cost us an additional tens of millions.

You see council and their experts have done a terrible disservice to all of us. The mayor, Shaheen and Peaker, the MOE and even the Minister of the Environment claimed that soil taken to the dump would be piled in "separate windrows". For those who don't know what a windrow is which includes council their experts and landfill employees it is piles separated from each other. This way proper testing could have been done on each load as required and hazardous material could be isolated and dealt with safely. But no these people did not want to make it easy and safe to isolate these materials. What

they chose to do was to mix all the loads together making it harder to find the hazardous portion and making all the soil hazardous. When the city is ordered to remove hazardous material, because of the mixing all soil will have to be trucked away. The cost for this will be astronomical. You see had they done the right thing we might of had to spend maybe a couple of million dollars for removing the hazardous material. Now because of their mixing it all together the cost could be \$40,000,000 to as much as \$120,000,000 by some estimates. So you see in their haste to try and dilute hazardous material they actually made a bad situation worse. Now the question is which expert recommended this?

At last nights meeting Allan Millard made new information available that is astounding. Using Shaheen and Peakers report given to council on Nov. 4 he showed how hazardous soil by magic was made non hazardous and all with the knowledge of the MOE. You see the last round of testing showed "catastrophic" results with vinyl chloride 82,000 times higher than MOE standards. It seems that samples from the hotspot were mixed with samples taken way back last June from other test holes. Now we do not have information as to what amounts of this

soil was mixed with the hazardous material but lo and behold these tests showed that the mix was not hazardous by a leachate test. I suppose if you diluted your toilet water the results would show a lower concentration of sewage, but hey shit is shit no mater how much perfume you use.

At last nights meeting we had four councillors show up. Cipolla, Smith, Downey and Gardy. As I watched their reaction to the speakers and questions posed from the audience it was plain to see they were not happy campers. You see what I and most other people can not understand is why 9 people (council) are so adamant to harm not only Orillians but all water users in the area. You do not have to be a scientist or expert to know that if you consistently come up with test numbers tens of thousands of times higher than allowed you have a problem. These people can not claim ignorance as members of our Coalition have been warning them for a year to be careful and err on the side of caution. But no it's full steam ahead damn the torpedoes. Well the torpedo has now struck. They can abandon ship or try and save it. Which do you think they will choose and at what cost?

It is interesting to note that the Kobeal brothers of Walkerton fame have pled guilty and will be sentenced to jail time. Is it a stretch to think that diluting samples for the purpose of changing test results and knowingly sending hazardous material to an unlicensed landfill may be similar breaches of trust? Is it a stretch that all nine councillors decided to follow through with their plans regardless of the consequences? So who suggested that they could getaway with this? Was it the lawyers, experts or senior staff?



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Jim Tolnai Editor/Publisher

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## More Problems???

by: doug peddle

Are there some new problems at the MURF site that council and management have encountered? Seems only silence is coming from quivering lips at city hall. So here are some thoughts as to what might be happening.

Removing soil from the building footprint continues and filling in the hole with engineered fill is completed almost as quickly as the contaminated dirt is hauled away. We noticed a strange phenonima over the past few weeks. Excavation was to be somewhere about 8 to 9 feet deep with engineered fill replacing the soil removed. Lo and behold these guys are only removing about 4 feet of soil. As a result the engineered fill needed to surcharge the area is now as high as the fence. If you don't believe me just take a drive by.

This does not make any sense. First they announce that 40,000 tons of dirt needs to be removed for this part of the construction. Now it seems there will be considerably less as they are only removing about a little more than half???. Yet the fill used to surcharge is still the full amount? Do you think they may have run into some problem that needs covering up below the four foot level? Early on in the digging when people were not using even the flimsy masks for protection a couple of guys appeared in full hazmat suits with their own air supply. Lots of activity and scurrying around was observed.

What did they find that was so hazardous that digging stopped and full hazmat suits were needed???? Up to this

point our observation was that they were digging to the 8 or 9 foot level. All of a sudden they were digging to 4 feet and as fast as the hole was dug fill was brought in to cover it. At the end of each day there was virtually no hole to be seen because it was covered over. How come it was so important to fill it in? What did they find down there that scared the bejesus out of them???. Should we have the bejesus scared out of us too??

For the most part hazmat suited people are seldom seen although on a few occasions they have been spotted. So councillors and project staff how about a little information. I think we deserve to know what toxins and hazards the city is being exposed to and how about telling us why some loads from the hole are being moved to the back of the property. You see our observers have noticed that trucks loaded by the yellow backhoe stayed on the property but the red and white machine dug soil was sent to the dump. Then we see that the yellow backhoe is driven to the wash station and is hosed down and cleaned. This is the only vehicle that has ever been observed being washed down. You see according to their own Health and Safety Plan every vehicle leaving the site was to be washed of contaminants which has never been done. Yet this digger which was seen loading trucks that dropped their load at the back of the property needs cleaning. Seems odd doesn't it???

So what is in the soil left on site that makes it different from the stuff going to the dump???. Another interesting observation is that until the Citizens Coalition won the right to test soil at the dump all soil was moved there. All of a sudden we can test and now soil is kept on sight where we are not allowed to test???. Say I know what, how about council in a gesture of co-operation allowing our experts access to the site for a quick test? Seeing that everyone from the city is claiming that the soil is safe it shouldn't make any difference if we took a bucket or two would it????

Here are a few more observations. On Monday night at council Ralph Cipolla asked the mayor to open a dialogue with the Citizens Coalition to

find out what we want and who we represent. Well council we represent the people who are concerned about what you are doing. We represent people who are concerned about the harm you are doing to the environment. We represent the people who don't want a healthy wetland destroyed along with all the life in it. We represent the future generation of children that will be exposed to toxins unless you do a proper and thorough cleanup. We represent the taxpayers who will be burdened with a project cost that a city twice the size of Orillia could not afford. Finally we represent the future council who mayor Stevens has said will have to deal with problems should they occur down the road. Now we ask the question from you. Who do you represent???? As for what we want, it is very simple. We want proper and thorough testing of the site. We want barrels of hazardous material that was buried on the site found and safely removed. We want an independent review of Shaheen and Peakers work. We want an Environmental Assessment done as called for by legislation. We want a Sight Specific Risk Assessment done and finished before construction begins. We want hazardous material removed from the dump and no more material placed there hazardous, toxic or non hazardous. A garbage dump is no place to put this type of material in. Finally we want council to stop wasting our money on lawyers who had the nerve to charge \$100,000 according to Cipolla for one and a half days in court and now stand to make more by appealing a judgement they and councillors claimed made no difference to the project and the cities ability to proceed. You see if the injunction makes no difference and we won nothing then why is council prepared to spend possibly another \$100,000 for an appeal. Somehow like this whole Molson deal the appeal makes no sense at all. But then nothing that is going on or has gone on makes sense.

## Danger Danger????

by: jim tolnai

What does it take for people to wake up and smell the coffee. We have a major industrial dump site in the heart of the city and council seems not to care that proper cleanup is not done. The consequences will be devastating to our environment, health and pocket book. According to the city's own experts who have not done a thorough program of test holes there seems to be a large plume of vinyl chloride directly under the foot print of the MURF building. All anyone has to do is look at the results of three test holes. All of them exceed the MOE limits by as much as 82,000 times

You see three test holes were done back in Sept. and Oct. These holes were done north to south in a straight line. All of them showed exceedence by thousands of times and the middle one was actually showing exceedence of 82,000 times higher than safe levels. But the city chose not to order further holes east and west to establish the size of the plume. This decision goes a long way to explaining why excavation only went down four feet instead of the eight feet originally announced. You see the contaminants are in the ground water below the four foot level. Had they hit this contaminant they would have had some major problems so it seems that if we don't hit it how can it be there??? But what are the dangers of not dealing with these contaminants? In researching other similar sites I have posted two examples on the [www.speakingout.biz](http://www.speakingout.biz) web-site on the Vapour Migration page.

I will attempt to educate you and possibly council on the consequences of not dealing honestly and safely with these toxins. The first example of a disaster taking place is in Endicott New York. You see IBM has a plant there that spilled toxins on their property not unlike the MURF site. Since 1980 IBM has been frantically

trying to save the drinking water supply from contamination. You see once this stuff is in the ground water it will travel for miles contaminating as it goes. It takes years but the process although slow goes on round the clock. IBM realizing the problem did the following.

"Since 1980, IBM has sought to protect the village drinking water supply by halting the spread of groundwater contamination. That process involves the use of pumping wells to capture the contaminated groundwater so it can be treated to remove the VOCs. Although groundwater data indicate that this program has been effective, it typically takes many years (possibly decades) to clean up the groundwater. IBM is currently evaluating possible actions to expedite groundwater source containment and removal. They are also evaluating potential enhancements to the groundwater remedial program that would shrink the plume as quickly as possible so that it is under fewer buildings as time goes on. The results of that evaluation are expected by the end of 2003".

Further problems were encountered as IBM the State of New York and Broome County realized the following.

"In Fall, 2002, New York State, Broome County and IBM determined that there is a potential for migration of the VOCs from the groundwater through the soil as vapors into buildings above. Consequently, the Agencies and IBM developed an action plan to determine whether vapor migration related to the

groundwater contamination is occurring, and, if so, to cut off the vapor migration pathways. The results of the investigation indicate that vapor migration has impacted the indoor air in buildings above the plume. As of July 2003, IBM had identified and offered to install vapor mitigation systems at 480 properties in the Village of Endicott and the Town of Union. The agencies estimate that 85 to 95 % of the buildings which need mitigation systems to intercept the IBM-related contaminant vapors have now been identified".

How much more evidence do people need that what is happening down on West St. is just not right. What will it take for people to understand that this stuff has short term effects but that the longterm effects are far worse. As this stuff creeps underground over the years it will effect any building it comes into contact with that has cracks in it's foundation. Not only that but as the MURF will be built directly above the plume as cracks in the foundation occur (and there will be cracks) the building will become a dangerous place to be. You see we are dealing with levels of 41,000 parts per billion. The MOE says that anything over .5 parts is hazardous. Do you or I have to be experts to figure out that we have a problem? And these guys say it is an acceptable risk. Acceptable to who? The sick child and it's family or to councillors and experts who are untouched. Shame

## We Get Letters

### AN OPEN LETTER TO GARFIELD DUNLOP, MPP, SIMCOE NORTH

Dear Garfield:

I am writing to ask you to introduce a Private Member's Bill to change the name of the Environmental Protection Act to the Proponent Protection Act.

On Nov. , 2004 a media briefing on the Orillia Multi Use Recreation Facility was held at City Hall.

Five well-qualified Ministry of Environment staff stood up, like ducks in a shooting gallery, and declared that according to Section 347 and other sections of the EPA the MURF site was safe and non-hazardous.

During the briefing it became obvious that the Ministry had conducted no scientific tests to verify the data submitted by the proponent's consultant.

In fact, after questioning, the MOE staff reluctantly admitted that the whole process was proponent driven. MOE staff were not able, under the Environmental Protection Act, to scientifically verify data given to them by the proponent.

If Premier McGuinty wants to cut costs he should look at the Ministry of the Environment.

One robot, with a rubber stamp and programmed to say – "Non-Hazardous" "Safe" "No problems" could replace five well-paid staff.

I'll leave this important matter in your capable hands.

Jim Woodford  
19 Nov 2004

To Mayor and Council  
I attended a recent council meeting where I heard the mayor being asked to delay the filling of the wetland located on the MURF site. The delay was to allow a group of conservationists the time to go in and attempt to save the turtles living there. The mayor denied the request because apparently they had had lots of time previously and nothing was done. It was then that I heard the most ridiculous thing ever. The conservationists had to apply for a permit to remove these turtles. I could not believe that one would have to have a permit to save them yet no permit to kill them. I then telephoned the MNR and spoke to Cathy Wooller (725-7500) and it was confirmed. Then asked why? I was told you need the permit to make sure they are transported safely. DOES THIS MAKE SENSE?? No permit to KILL them and other aquatic life, but a permit to remove them from certain death. I asked "why doesn't the MNR go to the site and help save them" and was told that is not their job. I wonder what their job really is. She told me to contact the City councillors because they were the only ones who could make the decision to save them or not. I watched the council meeting on Monday night and learned that

the wetland had been filled in. Yet according to Bob Bowles (wetland expert), as of Wednesday Dec. 1, the area where the turtles had been taken from is still in tact. Bob gave me an insight into the bureaucracy involved in applying for the permit for removal, waiting to receive it and how he had to weigh, measure and record all turtles removed. He told me that this wetland was home to birds, turtles, fish, frogs, insects, lots of aquatic life. and as for Mr. "West Nile Virus" Morano, baby turtles eat mosquito larvae. Why do we have to kill to progress???? Maybe it's not too late!! Call your councillors, the Ministry of Natural Resources, Ministry of the Environment, whoever you think can make a difference.

Anne Tolnai  
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Taken Sat. Dec. 4

