

280,000 toxic litres dumped on property near St. Mary's

BY DON REDMOND

At this point, there are still more questions than answers about four-decade-old property contamination just 2.7 kilometres northwest of the proposed St. Mary's quarry application.

But according to at least one Ministry of the Environment (MOE) document, from October 1964 and May 1965, "approximately 280,000 litres of waste petroleum products were disposed of on this site and pumped into perforated holding tanks, allowing the waste to directly discharge into the surrounding soil."

And despite timelines being given by the MOE office now, two newspapers articles, written in December 1993, make it clear that the contamination was still an issue to the property owners on Campbellville Road.

While the Ministry of the Environment (MOE) maintains the contamination, which happened over 40 years ago, has long since flowed into Lake Ontario, there remains some lingering doubts as to what remains underneath the ground today at two adjoining properties - one on Campbellville Road, the other on Mountsberg Road.

Paul Odom, the MOE staffer who will eventually decide on St. Mary's permit-to-take-water application, indicated in an email to Flamborough Councillor Margaret McCarthy that the ministry believes that not only is the contamination gone but that the properties affected were "outside of the capture zones of the Carlisle wells as depicted by (Hamilton's) source protection consultants."

However, Odom's event summary does leave a few questions unanswered. He confirmed that the former Clarkson Refinery operations, then owned by British Petroleum, did illegally dispose tank-bottom refinery sludge into a total of three underground tanks on the two properties, which at that time was one larger lot.

In 1965, two of the tanks were ordered removed - it remains unclear what agency delivered the original edict - and a third one was pulled in the "late 1970s," according to Odom's information. (The MOE wasn't created by the Province until 1972. There were two predecessors that merged to form the MOE - the Department of the Environment and the Ontario Water Resources Commission. But the MOE report would seem to indicate the water commission ordered the removal.)

One of the articles indicated that odour complaints regis-

tered to East Flamborough Council in April 1965 made both the Town and Province aware of the illegal dumping.

Contrary to Odom's report, the newspaper articles, one written in a Hamilton daily, the other in a local community newspaper, both indicated that the third tank was not pulled in the late-1970s but rather in May 1982.

In fact, it wasn't the MOE but rather the property owners themselves who hit the undiscovered holding tank while drilling a water well, literally in their front yard.

The same MOE report, drafted by one of the ministry's provincial officers, indicated that a "magnetometer survey conducted by the MOE in 1982 did not reveal the presence of additional tanks."

While the MOE conducted a geophysical survey in 1982 and 2002 to ensure the tanks were removed, details are somewhat sketchy as to the condition of the property. But the property owners had complained repeatedly for over a decade to the MOE about serious odour and taste problems with their water, starting in 1982.

Finally in 1995, the MOE hired a consultant to completely a hydrogeological investigation of the water quality. He then set

Continued on page 13

280,000 toxic litres dumped on property...

Continued from page 12

up nine separate monitoring wells on the site. Less than a year later, the MOE itself provided the homeowners on Campbellville Road with a new potable water well at its own expense.

District Engineer Judith Szekely of the MOE office in Hamilton told the Compass that "the installation of the well in 1996 was not a result of the hydrogeological testing completed in 1995. Based on the documentation, it appears that new water wells were installed on the property by the owners in 1982 and 1991. However, these wells produced water with offensive taste and odour. The Ministry provided the household with a new water well in 1996, and monitored it for the following eight years."

Those monitoring wells were decommissioned in 2004 by the MOE, which declared that "concentrations of volatile organic carbons and total petroleum hydrocarbons were below detection levels in all wells sampled."

Szekely noted that according to their maps, the contamination would have flowed through "Twelve Mile Creek, a tributary of Bronte Creek flows from northwest to southeast across the subject property." But she added that a 1994 hydro-geological study "indicated that Twelve Mile Creek waters were not impacted by the contamination."

For her part, McCarthy said her most immediately concern, after the safety of her constituents on the property, is that a permit-to-take-water (PTTW), presently being applied for by St. Mary's may unearth toxics that simply seeped into the nearby land, rather than flowed away 40 years ago.

Her city hydro-geologist, David Kerr, began testing the property on August 10 and should have results of his own testing within a few weeks.

But McCarthy pointed out to the Compass that the MOE had warned St. Mary's in an April 11 letter that any negative impact of the PTTW would be on the aggregate company's shoulders.

"Their letter to St. Mary's clearly stated that: 'We wish to make it clear that the Ministry deems that any impact occurring from the test, were the test to be approved, to be the liability of St. Mary's,'" McCarthy said.

But would the responsibility lie with the company should the PTTW either unearth toxins or cause water shortages in nearby Carlisle? McCarthy has her doubts.

"If my area then runs out of water or the water is bad, it's the municipality that would have to do something," she said. "We would most likely be ordered by the (MOE) to fix it. This is a colossal issue, not just for the City of Hamilton - it has broad public policy implications throughout the country."