

St. Marys applies for licence

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Published on Jan 30, 2009

St. Marys Cement decided last Thursday to move forward on its proposal to establish a quarry in northeast Flamborough by submitting its application for an aggregate licence to the Ministry of Natural Resources (MNR). At the same time, the company rejected direction from the Ministry of the Environment (MOE) that it repeat water-pumping tests that the ministry deemed unreliable because of heavy rainfall during the testing period last July.

The aggregate company's decisions drew sharp criticism from Flamborough councillor Margaret McCarthy and area resident Graham Flint, who chairs FORCE (Friends of Rural Communities and the Environment), a citizens' group opposed to the quarry proposal.

St. Marys spokesperson Jennifer Tuck defended both decisions, saying that company officials told area residents last year they would be applying for a licence and, as far as the company is concerned, the first round of pump tests was a success and there's "not a lot to be gained" from repeating them.

Flint, who predicts the proposal will end up before the Ontario Municipal Board (OMB) no matter what the MNR ultimately decides, was critical of the timing of the decisions, coming as they did on the same day. He said the actions indicate the company has "abandoned any vestige of treating the local community as the significant stakeholder that it is" in the planning and approval process. He charged that the company took "the bold move" of applying for a licence under the Aggregate Resources Act (ARA) because it hasn't been successful in proving its case locally and is now moving on to the provincial level in hopes of having success there.

The City of Hamilton is still reviewing the company's application for an Official Plan Amendment and rezoning of the quarry site on 11th Concession and Milborough Line. The city will be a commenting agency as the MNR reviews the licence application.

Last Friday, councillor McCarthy sent an e-mail to affected residents and others in nearby Halton, informing them of the recent developments. She charged that St. Marys is forging ahead with the ARA application

because the company has no hope of proving the viability of its water recirculation theory, which it has said will mitigate the quarry's impact on surrounding groundwater.

MPP and cabinet minister Ted McMeekin (Ancaster-Dundas-Flamborough-Westdale) told the *Review* he shares area residents' concerns about the proposal and advises them to encourage members of Hamilton city council to carefully review the proposal. As the municipality will be consulted as a commenting agency, its opinion can influence the MNR's decision, he said.

McMeekin said an OMB hearing can only happen if the application is deemed to be complete by the MNR. St. Marys will need to obtain a long-term Permit to Take Water (PTTW) from the MOE before it can operate a quarry and McMeekin noted, "There needs to be more assessment before the company is anywhere close to demonstrating it (the quarry's operation) will not have an impact on groundwater."

Bill Bardswick, a director with the MOE's Hamilton office, sent an e-mail to McCarthy last week saying, "We will not entertain a PTTW application for the quarry itself until the necessary studies (which includes the pump tests) are carried out which demonstrate the quarry will not impact quality and quantity of ground and surface water."

Tuck said St. Marys knows it will eventually need a permanent PTTW and "outstanding concerns will need to be addressed then or through the ARA process." She said the MNR has a 20-day review period beginning January 22 to determine whether the company's application is complete, followed by a two-year process during which the company is required to consult with the public by hosting an information session or open house. There are opportunities for objections to be filed and for the company to try to resolve concerns. Tuck said the company's application package will be posted on the company's website at www.flamboroughquarry.ca.

"We hope to put up site plans by next week," she noted.



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