

Aggregate firm accused of end-run

Residents complain the company is trying to get an MNR license before it redoes its water samples

BY MICHAEL-ALLAN MARION

Ontario Farmer

Carlisle - An aggregates company is raising the ire of farmers and residents over its decision to refuse a Ministry of the Environment order to repeat deficient water tests, and proceed instead to an application for a provincial license to open a quarry in an agricultural area north of the village of Carlisle.

St Marys Cement is trying to get the license before the City of Hamilton decides whether to rezone the agricultural land on 11th Concession Road west of Milborough Line, to allow the company to locate its Flamborough Quarry.

The ministry has said it considered the test results unreliable due to a high level of precipitation at the time they were conducted last summer. However, the company, a subsidiary of a Brazilian multinational firm, suddenly informed the ministry on Jan. 22 that it considers the test results valid and will not repeat them.

The company filed its licence application the same day to the Ministry of Natural Resources, and said it won't try to prove its dewatering system to the environment ministry until it has the license in hand. MNR has 20 days from the date of filing to decide how to proceed.

"They did it in a bang, bang fashion all in the same day. It was definitely a co-ordinated thing," said Graham Flint, a spokesman for FORCE - Friends of Rural Communities and the Environment - a grassroots group of farmers and residents

in and around the village that formed years ago to oppose the quarry.

"Before, they said they would not proceed without demonstrating that what they want to do it OK," said Flint. "Now, they're thumbing their noses and saying they're not going to follow the process. We feel it's a testament to the weakness of their application."

Coun. Margaret McCarthy, who is leading the political opposition, sent an e-mail to constituents to keep up their spirits.

"Bring it on; we'll handle whatever they want to throw our way," her e-mail said.

The proposed quarry site, two amalgamated disused farming plots, is close to the boundaries of Hamilton (which includes Flamborough) and the municipalities of Burlington and Milton in Halton Region. It is also in the middle of an agricultural area that includes equestrian breeding stables, livestock operations,

greenhouses and some cash cropping.

Farmers and residents are worried that the quarry might affect the water table and drain their wells. They also worry about noise and dust, argue that the area doesn't have the proper transportation grid to handle the expected flow of trucks.

The company has effectively stood the agreed-upon process on its head by filing the licence application before a special review team with representatives from affected municipalities has finished studying the proposal.

St Marys officials say the company is behaving in a socially responsible manner. They insist that area residents were told a year ago the licence application was coming.

"They've been working on this for five years, and now they want everything done quickly," said Flint. "They're trying to bully us all. We feel it should be thrown out."

BSE class-action suits settled

BY MICHAEL-ALLAN MARION, *Ontario Farmer*

Cattle producers who took a heavy hit when the border closed May 20, 2003, on news of a BSE case in Alberta will soon be getting some money from Ridley Inc.

The company settled two class-action lawsuits by agreeing to put \$6 million into a trust fund. That offer has now cleared another hurdle, which was the number of farmers who would serve notice they might want to sue separately. Ridley says that threshold has been met.

The next step was to come Feb. 5 when courts in Ontario and Quebec decide how much the lawyers will get.

Crawford Class Action Services of Waterloo, Ont., says that will be less than \$1.5 million, leaving more than \$4.5 million for farmers. Farmers don't have to do anything to qualify for their share of the settlement.

The lawsuit also named the federal government, and that part of the case has not been settled.

The suit was against Ridley for continuing to market feeds that contained rendered cattle remains despite greater precautions and a ban in its operations in Australia, which is its home country.