



**Second Session — Thirty-Fourth Legislature**  
of the  
**Legislative Assembly of Manitoba**

**STANDING COMMITTEE**  
on  
**PUBLIC UTILITIES**  
and  
**NATURAL RESOURCES**

**38 Elizabeth II**

*Chairman*  
*Mr. Parker Burrell*  
*Constituency of Swan River*



**VOL. XXXVIII No. 1 - 10 a.m., THURSDAY, OCTOBER 26, 1989.**

**MANITOBA LEGISLATIVE ASSEMBLY  
Thirty-Fourth Legislature**

**Members, Constituencies and Political Affiliation**

NAME	CONSTITUENCY	PARTY
<b>ALCOCK, Reg</b>	Osborne	LIBERAL
<b>ANGUS, John</b>	St. Norbert	LIBERAL
<b>ASHTON, Steve</b>	Thompson	NDP
<b>BURRELL, Parker</b>	Swan River	PC
<b>CARR, James</b>	Fort Rouge	LIBERAL
<b>CARSTAIRS, Sharon</b>	River Heights	LIBERAL
<b>CHARLES, Gwen</b>	Selkirk	LIBERAL
<b>CHEEMA, Gulzar</b>	Kildonan	LIBERAL
<b>CHORNOPYSKI, William</b>	Burrows	LIBERAL
<b>CONNERY, Edward, Hon.</b>	Portage la Prairie	PC
<b>COWAN, Jay</b>	Churchill	NDP
<b>CUMMINGS, Glen, Hon.</b>	Ste. Rose du Lac	PC
<b>DERKACH, Leonard, Hon.</b>	Roblin-Russell	PC
<b>DOER, Gary</b>	Concordia	NDP
<b>DOWNEY, James, Hon.</b>	Arthur	PC
<b>DRIEDGER, Albert, Hon.</b>	Emerson	PC
<b>DRIEDGER, Herold L.</b>	Niakwa	LIBERAL
<b>DUCHARME, Gerald, Hon.</b>	Riel	PC
<b>EDWARDS, Paul</b>	St. James	LIBERAL
<b>ENNS, Harry, Hon.</b>	Lakeside	PC
<b>ERNST, Jim, Hon.</b>	Charleswood	PC
<b>EVANS, Laurie E.</b>	Fort Garry	LIBERAL
<b>EVANS, Leonard S.</b>	Brandon East	NDP
<b>FILMON, Gary, Hon.</b>	Tuxedo	PC
<b>FINDLAY, Glen, Hon.</b>	Virden	PC
<b>GAUDRY, Neil</b>	St. Boniface	LIBERAL
<b>GILLESHAMMER, Harold</b>	Minnedosa	PC
<b>GRAY, Avis</b>	Elice	LIBERAL
<b>HAMMOND, Gerrie, Hon.</b>	Kirkfield Park	PC
<b>HARAPIAK, Harry</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HELWER, Edward R.</b>	Gimli	PC
<b>HEMPHILL, Maureen</b>	Logan	NDP
<b>KOZAK, Richard J.</b>	Transcona	LIBERAL
<b>LAMOUREUX, Kevin M.</b>	Inkster	LIBERAL
<b>MALOWAY, Jim</b>	Elmwood	NDP
<b>MANDRAKE, Ed</b>	Assiniboia	LIBERAL
<b>MANNES, Clayton, Hon.</b>	Morris	PC
<b>McCRAE, James, Hon.</b>	Brandon West	PC
<b>MINENKO, Mark</b>	Seven Oaks	LIBERAL
<b>MITCHELSON, Bonnie, Hon.</b>	River East	PC
<b>NEUFELD, Harold, Hon.</b>	Rossmere	PC
<b>OLESON, Charlotte, Hon.</b>	Gladstone	PC
<b>ORCHARD, Donald, Hon.</b>	Pembina	PC
<b>PANKRATZ, Helmut</b>	La Verendrye	PC
<b>PATTERSON, Allan</b>	Radisson	LIBERAL
<b>PENNER, Jack, Hon.</b>	Rhineland	PC
<b>PLOHMAN, John</b>	Dauphin	NDP
<b>PRAZNIK, Darren</b>	Lac du Bonnet	PC
<b>ROCAN, Denis, Hon.</b>	Turtle Mountain	PC
<b>ROCH, Gilles</b>	Springfield	LIBERAL
<b>ROSE, Bob</b>	St. Vital	LIBERAL
<b>STORIE, Jerry</b>	Flin Flon	NDP
<b>TAYLOR, Harold</b>	Wolseley	LIBERAL
<b>URUSKI, Bill</b>	Interlake	NDP
<b>WASYLYCIA-LEIS, Judy</b>	St. Johns	NDP
<b>YEO, Iva</b>	Sturgeon Creek	LIBERAL

**LEGISLATIVE ASSEMBLY OF MANITOBA  
THE STANDING COMMITTEE ON  
PUBLIC UTILITIES AND NATURAL RESOURCES**

**Thursday, October 26, 1989.**

**TIME — 10 a.m.**

**LOCATION — Winnipeg, Manitoba**

**CHAIRMAN — Mr. Parker Burrell (Swan River)**

**ATTENDANCE — QUORUM — 6**

*Members of the Committee present:*

Hon. Messrs. Cummings, Enns, Neufeld  
Mrs. Charles, Messrs. Burrell, Harapiak,  
Harper, Plohnman, Praznik, Rose

**APPEARING:** Mr. Kozak

Mr. R. J. Cooke, President and Chief  
Executive Officer

**MATTERS UNDER DISCUSSION:**

Manitoba Hazardous Waste Management  
Corporation First Annual Report 1987 and  
Second Annual Report 1988

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**Clerk of Committees (Ms. Bonnie Greschuk):** Will the committee please come to order?

We must proceed to elect a Chairperson for the Standing Committee on Public Utilities and Natural Resources. Are there any nominations? Mrs. Charles.

**Mrs. Gwen Charles (Selkirk):** I nominate Parker Burrell.

**Madam Clerk:** Are there any other nominations? If there are no other nominations, will Mr. Burrell please take the Chair?

**MANITOBA HAZARDOUS WASTE  
MANAGEMENT CORPORATION**

**Mr. Chairman:** Committee, come to order.

We are here to consider the Manitoba Hazardous Waste Management Corporation, and the Manitoba Hazardous Waste Corporation 1988 and 1987 Annual Reports.

Are there any opening remarks? Mr. Minister.

**Hon. Glen Cummings (Minister of Environment):** Mr. Chairman, I will try and keep my remarks short, but I do have a short prepared comment that I would like to give you.

We present the 1988 Annual Report. It was tabled on June 23, and the corporation's 1987 Annual Report

is also before this committee, although it was reviewed during the corporation's last appearance.

I have several officers of the corporation here to help answer detailed questions. First of all, Chairman of the Board, Nick Carter; Rick Cooke, President; Ed Yee, and Caroline Kaus. Caroline is responsible for financial administration.

Before we are getting into questions, I would like to point out that the corporation is a regulated component of an overall hazardous waste system that has been under study by the province since 1981, which may seem like a long time, but there are a lot of complexities involved.

I want to emphasize that its functional and operational role is distinct from the regulatory activities of the department which I represent. This distinction is important that the corporation has no regulatory authority. In fact, it is regulated by the department the same as any other commercial enterprise would be. In this field, in terms of relationship to environment regulatory agencies involvement, it is as it would normally be with any industry or waste handler.

The corporation's job is to plan and undertake the initial development of a comprehensive system for properly managing hazardous waste in this province. This may be done directly by them or by others, as the corporation does not assume any commercial monopoly in the business. In fact, it is their intention to maximize the participation of other investors in the ultimate system, a policy adapted in 1987 when they became operational and now a policy that we are continuing.

\* (1005)

Based on the detailed market assessment studies of system planning work completed to date, the corporation estimates there are 180,000 tons of regulated hazardous waste generated in Manitoba each year. Eighty-seven percent of this can and should be managed at its source by treatment recycling reduction or reuse techniques. Eighty percent of this material is generated in or near the City of Winnipeg. Twenty-three thousand tonnes per year that requires some form of off-site management is envisioned as being directed to two types of facilities. Nine thousand tonnes per year of organic waste will require the development of a major transfer facility, preferably in or near the City of Winnipeg, from which this material can be directed to resource recovery operations or to incineration facilities outside of the province.

We have concluded that insufficient demand exists in Manitoba to justify the construction of an incinerator as long as we are able to export these materials to commercial facilities elsewhere. The option of applying

mobile technologies for use periodically could be developed if this demand increases or access to other facilities becomes unavailable. However, we also require a treatment disposal capability for the 14,000 tonnes per year of inorganic waste that needs off-site treatment.

The corporation is nearing completion of the basic design for a physical chemical treatment plant and secure residue repository for this purpose. Two options exist for siting the plant. One involves establishing it on a stand-alone basis, something that can be done in a number of areas of southern Manitoba which potentially meet strict environmental criteria established by the corporation. The option of combining it with an organic waste transfer facility located in or near an urban area is also being explored provided that a suitable site could be identified.

Progress that the corporation has made respecting siting these facilities and an innovative approach involving the direct participation of potential host communities in the decision-making process has been adopted by the corporation.

Some 45 municipal councils in areas offering some potential have approached the corporation for more information, and of these 34 have sponsored open houses or public meetings for their residents. Thirteen have requested further mapping of their areas and five have formed community advisory committees to investigate the development further.

Three of these communities—Rossburn, Hamiota and Pinawa—have moved into a more detailed site evaluation stage. In Rossburn, a site has been optioned and the site evaluation is in progress. Preliminary site evaluation has been undertaken in Pinawa and several sites have been put forward for consideration in the Hamiota area. It should be emphasized that this is an entirely voluntary process conducted jointly by the corporation and the community with each step requiring approval by the community. The corporation will only evaluate potential sites by invitation and this process can be terminated at any time by the community.

With respect to development of facilities in or near Winnipeg, the city administration has asked the corporation to make a proposal to them, and in doing so the corporation has suggested that transfer facilities and potentially the treatment facility be integrated with a larger industrial park development capable of hosting a wide range of innovative waste management infrastructure. This is now being actively discussed with city officials and potential participants from the private sector.

It is the corporation's hope that complete environmental assessment of two or more treatment and disposal facility site alternatives can be completed for presentation to the regulatory authorities by mid-1990. However, this will be determined by the rate at which the various candidate host communities choose to pursue the developments, investigation. I should note that progress and siting capability in this province has been expeditious in relation to experience elsewhere and the approach developed by the corporation has attracted a great deal of interest from other jurisdictions.

I should also mention several other activities developed by the corporation in the last six months that may be of interest to the committee.

The corporation provides a wide range of technical service for waste generators, specifically oriented to maximizing the effective management of the waste at source, including the capability of training waste generators in the performance of waste audits of their operations. A fully licensed commercial waste brokerage capability is now offered using the corporation's temporary storage facilities at Gimli, PCB management capability from within Manitoba Hydro and access to a range of prequalified treatment and disposal facilities in eastern Canada and the United States. Where appropriate, these services are offered in association with other qualified private firms wishing to get involved in the business.

In November, the corporation will open a fully permitted collection depot in Winnipeg to provide effective services to smaller waste generators. In particular this facility will provide a year round drop-off capability for household hazardous waste, something for which there has long been a public demand. I would indicate that public demand is increasing in that area. This facility will also serve as a pilot project for the type of facility that could service small communities in the future as the system is developed.

\* (1010)

Over the past year the corporation has undertaken research and development in the area of managing pesticide residue containers. A research study at the University of Manitoba was completed and last summer it was followed up with a field pilot project to evaluate comprehensive site management techniques. The corporation is currently providing commercial services for the collection of pesticide residues to the newly established ACRE organization. Over this winter they have proposed to undertake the development of special mobile equipment such that a comprehensive and economic capability for container management will be available throughout the province by next spring.

In the area of public information, the corporation continues its pro-active approach. Many public presentations and information sessions have been held throughout the province and the distribution of a range of informational material has been undertaken. One item of particular note is the development of the educational resource kit on waste management which is available to the province's educators in developing environmental programs in our schools. I would like to echo the comments of the previous Minister of the corporation's last appearance before this committee by committing myself to the support of this undertaking. Our Government has inherited a good start and we have continued and I think we have accelerated that initiative.

I would like to also reference the paragraph above where I earlier talked about the informational work that the corporation is doing. There is a great deal of time and effort that has been put in by the company officials and the chairman of the board to make sure that they

are available to provide information to the public whenever they are requested. While I appreciate hard work and expect hard work, I think that there are many times that they have exceeded what might normally have been expected. From that particular aspect of their responsibilities, I wish to give them full marks for their effort.

Mr. Chairman, with those comments I would be prepared to review the annual reports and I say that in plural. I understand that there was some hang-up that did not allow for the passage of the previous annual report. I believe we can answer those questions and I would encourage the committee to enter into that discussion.

**Mr. Chairman:** Is it the will of the committee to—as the Minister says, if you want to ask on 1987 or 1988, and we will be rather informal. It is a very touchy subject. If you have any questions, I will make sure that you are recognized and we will give everyone a good kick at the cat so that you are satisfied. We have the staff here.

First of all, John, are you the critic for the NDP, or Harry is the critic? You are the critic for the - (interjection)- Okay. How did you want to—

**Mr. John Plozman (Dauphin):** Just on a point of order, I thought that we should deal with the completion of the '87 report before we get into the '88 report. We had a specific motion on the table which was passed by the committee last March 7 when we adjourned and never did meet again, so the Minister is correct. Obviously the '87 report has not been passed, but there is a specific motion dealing with regulations that would apply to private corporations, screening criteria and so on, that would apply as well as to the corporation for the establishment of disposal sites in this province.

We had asked the Minister if he would have such regulations prepared and brought back to the committee at that time. He had given that undertaking and the motion was passed that those would be discussed. It seems an appropriate place to start here today and I say that as a point of order in terms of how we should proceed.

**Mr. Chairman:** I do not really think that is a point of order, but I was just trying to get the feel of the committee, how they wanted to handle it. If you would like to go to the '87 report and get that out of the way first, I am sure that is all right with the Chair.

**Mrs. Charles:** On a point of order. Yes, I agree that we should agree that we should deal with the 1987 report, finish that off and then start into the '88.

\* (1015)

**Mr. Cummings:** On that point, if my answer does not satisfy the committee and they still choose not to pass the '87 report, I am also quite prepared to discuss the '88 report and get on with the business. I would, at the will of the committee, like an opportunity to respond to the motion that was left at the last committee.

**Mr. Chairman:** These are not points of order, but they are the will of the committee, and I am certainly prepared to go along with that. Would that be all right with the committee? Is that the will of the committee to handle it in this way? (Agreed)

**Mr. Cummings:** Mr. Chairman, the discussion as I read it over from the last committee seemed to be whether or not the department had appropriate criteria and whether or not they were putting that into regulatory form for the siting of hazardous waste facilities within the province.

I would concur with what the previous Minister said where we were talking about something that was not exclusive to the Hazardous Waste Corp.; however, it is a related subject. The status presently is that if you recall the Speech from the Throne, the Government committed itself to proclaiming the unproclaimed sections of The Dangerous Goods Handling and Transportation Act. When that is declared there will then be an ability to draft regulations attached to that, that would answer the questions of the committee. However, that does not mean that we are operating in a vacuum at the present time.

There are guidelines that are uniform that are given to any applicant who would come forward with an application for hazardous waste collection and/or treatment facility that are uniform, and I can table those as draft guidelines that we are presently using. I believe last time that this committee met, there was an application before the department that has been withdrawn. There are no active applications before the department at this time.

I am not throwing myself at the mercy of the committee. I am saying to you that there is a rational and reasonable approach in place. I will table the draft guidelines that are used and tell you that it is our intention to live up to the commitment that the balance of The Dangerous Goods Handling Transportation Act will be proclaimed before this fiscal year expires. I repeat that for the record and will be held by that. Regulations then would be developed in connection with that proclamation.

**Mr. Plozman:** Just on this for the record, clarification then, no regulations are in place. The Minister is undertaking to proclaim all sections, meaning sections of the Act, by the end of March?

**Mr. Cummings:** Right.

**Mr. Plozman:** You said this fiscal year, not this calendar year?

**Mr. Cummings:** Fiscal, yes.

**Mr. Plozman:** You will have regulations that will apply to private as well as public corporations dealing with location of disposal or management of hazardous wastes?

**Mr. Cummings:** Correct. Mr. Chairman, I will not prolong, and I am sure the Liberal Critic wants to make

a comment. I will not prolong the debate. I just want to make sure that we realize that there is not however a vacuum as we presently operate.

**An Honourable Member:** Will you table those?

**Mr. Cummings:** Yes, I am tabling it. It will be important that we realize as well that when you are dealing with the private sector, we know up front what the corporation intends to do and what type of facility that they are proposing.

You may get wide variety of applications however from other individuals and depending on what the process or the intent of their application is, it would be very difficult to have a complete set of regulatory responses that will cover all eventuality. Even after those are in place, you will still have a situation where the department will be issuing guidelines for them to respond on how they will deal with specific materials and specific operations that they would be attempting to put in place. It will be there with us.

**Mr. Plohman:** Just to clarify then, the proposed regional screening criteria for an integrated treatment facility that applies to the Hazardous Waste Corporation, a public corporation, would those same criteria apply for any private proposal for such an establishment.

**Mr. Cummings:** The criteria the corporation is operating under, and I would ask Mr. Cooke to comment, but this is the criteria they have set out, to have them live by themselves. They have created this criteria. You are asking, would we be establishing the same criteria? The only time you would have the same criteria would be if you had the same operation and that would not be anticipated, if I get the gist of your question.

\* (1020)

**Mr. Plohman:** I guess being very specific, it is precisely the same type of facility, but essentially we want to clarify whether the private corporations or private individuals who want to establish any type of facility for handling and disposing or treating of hazardous goods, they would have to comply with the same kinds of regulations or criteria and as stringent regulations as the Hazardous Waste Corporation has established for themselves.

That would mean that the Government would have to have approved those regulations and say, yes, we think that those are reasonable and they are appropriately stringent and we want those same kinds of regulations to apply to any other corporation that might want to establish in Manitoba. What we just want from the Minister is an assurance that would be the case, not precisely the same criteria, because there may be different variables involved in their proposals, different types of treatment or different types of handling that they would want to do.

We did not get that assurance from the Minister last time and that is why we wanted those regulations brought before the committee again before we passed the report. Now the Minister said he is going to bring

in regulations, he is going to proclaim the sections, but we still do not have assurances that the regulations that he will establish will be as stringent as those that have been established by the Hazardous Waste Corporation under the direction of this Minister and his predecessor. We want a level playing field for all those who would be involved in this business.

**Mr. Cummings:** I sense we might end up almost getting into the same merry-go-round that happened a year ago, although it is certainly not my intent to let that happen. You are asking me a hypothetical question, but I think the reason I am not giving you the answer yes, we are going to adopt these criteria, is that there may be some nuances or some standards there that the corporation has set specifically because they are what they are. They are seeking to site a waste disposal facility of which there is only going to be one of this kind.

When you talk about similar regulations or mirroring regulations, essentially I agree with what you are saying. Where I do not want my words read back to me is if, and let me give you an example, where we might have a drycleaning company that wants to deal with the waste that it has and essentially recycle it. The criteria and the regulations that they would be given would be obviously somewhat different than what the Hazardous Waste Corporation is doing, particularly the requirements on location.

In the general context of what you are saying, I have absolutely no problem. I do not intend under striking of regulations or setting of criteria, there is not going to be any dual standards, if that is what you are asking. There will not be dual standards. It is ironic that the question is coming the way it is because what is happening is, private industry is saying, is there a dual standard? Is the corporation getting some privileges that privates would not have? You are asking the question, would privates get some privileges that the corporation would not have? I am telling you we want a level playing field, but we do not anticipate another facility of this kind being even requested.

**Mr. Plohman:** A final question then to the Minister, what we are saying, quite clearly, is similar regulations for similar operations. Is that what the Minister is saying?

**Mrs. Charles:** I just want to add to this. I think the discussion last year was quite thorough, but even throughout the time that has lapsed, not even a year, it is becoming more and more obvious that the treatment of hazardous wastes is going to be a big business. A business that can move into anybody's backyard, whether it is provincial or municipal or whatever. I think this is the fear of regulatory standards, that they have to be prepared and pro-active for it, not have one move in and find out we do not have the standards in place, whether it is a drycleaning facility or whether it is a major corporation moving in.

I am wondering as well, whether we have defined hazardous waste thoroughly enough and could the Minister define that? Is that something that is defined within the powers of this board and is that a starting point of how we can define a hazardous waste?

**Mr. Cummings:** I cannot quote you scripture and verse of the definition of hazardous waste. The problem quite frankly that I have is that there are a lot of things that are defined as hazardous waste that you and I would not think of as hazardous waste at first glance. Used paint that we probably all have stored in our porch or our basement is hazardous waste when you go to get rid of it. If you dump it in the sewer, you are creating problems for Selkirk or anyplace else that is downstream. That is the type of, when you asked me the definition of hazardous waste, it is in a general sense, I view it and without looking to what says regulatory manner, and I would ask Mr. Cooke perhaps to comment on that, because he is working with that concept.

\* (1025)

To me a hazardous waste is something that is hazardous to the environment if released there in an uncontrolled or a free manner that would cause a detrimental impact. We looked at all sorts of things. We truck gasoline all over the place in this province. How many people really think of that as a hazardous waste?—and yet we can see what happens. Yet we have gasoline stations all through our communities.

In a sense, the term hazardous waste strikes fear into the heart of everyone until you stop to think about some of the things that are in fact hazardous waste. I invite Mr. Cooke to embellish on what I am saying or correct me.

**Mr. Rick Cooke (President and CEO, Manitoba Hazardous Waste Management Corp.):** I guess I would just maybe elaborate on what the Minister has said. Strictly hazardous waste is defined under The Transportation of Goods Act. Dangerous goods that you throw away are hazardous waste. That is really the linkage that they are defined under the same Act, and those are the regulations that govern us as an operating proponent. The definition of hazardous waste is somewhat speculative, but observing as we learn more and more about different materials, the definition expands.

There will be many more materials that in the future I suspect we will view as hazardous and manage as such. So it is a dynamic thing in that context and so I think you are correct in saying that we should take a broad view of the kinds of materials that do go into the environment as wastes. As we learn more we will define them as hazardous, perhaps an example is 15 years ago a substance called PCBs was not considered hazardous waste, whereas today, and perhaps we do overreact to it in some sense, but we certainly very much view it as a material of some concern when we throw it away.

You are Mrs. Charles or Miss?

**Mr. Chairman:** Mrs.

**Mrs. Charles:** After 20 years I am Mrs., yes, for sure.

Just one further statement, and then perhaps we can pass this and we will go on.

I think that the Minister made a good point in that a can of paint is a hazardous waste, but it is not a hazard as we perceive it until you have 100 gallons of it being disposed of by a corporation. Then it becomes a public hazardous waste. An individual tin we can deal with through the stream and collecting hazardous waste days and so forth and encourage people, but if a corporation came in tomorrow to decide to dispose of it and did not do it at the proper site location with the proper standards and so forth, then we are having a whole new ball of wax as they say. So I think we really have to watch the future and anticipate because I do not think any of us fully can predict what the business of the environment will entail over the next 10 to 20 years.

We are just learning what the environment is in so many ways, and I am sure you are quite aware of the fact that we do not know what hazardous good tomorrow will be. We may find a new one and it may be developed tomorrow, so we cannot restrict the viewpoint of this corporation. We should keep it open and maybe in your regulatory efforts, we should even broaden that. There should be maybe more than regulatory, that it should be a policing, monitoring corporation as well.

**Mr. Cummings:** I agreed with the Member for Selkirk up until the last part of her thought, the question of whether or not the corporation becomes a regulator. I believe that the corporation, as it is presently structured, should be licensed and regulated by an arm of Government. I guess I say that with some degree of experience having looked at other Crown corporations, I do not think the regulatory powers and authority of Government should be delegated too far away from where there are responsible bodies such as ourselves who are sensitive to injustices and just downright stupidity that can occur in the application of regulations.

The corporation because it potentially would handle transport, neutralize and all of those things, standards that they have to meet, if they are self regulatory, somebody else has to be checking that regulatory compliance. I believe that authority should rest with, in this case, the Department of Environment. Which raises one other point that probably does not need to be debated but should be clarified, and that is that it could just as easily be the Minister of Culture, Heritage and Recreation who sits here as the Minister responsible for the Hazardous Waste Corp.

There is a linkage because we are dealing with similar problems and constraints within environmental protection, but it does not have to be the Minister of the Environment who is ultimately responsible for the Hazardous Waste Corp. that they would have an arm's length responsibility. The ministerial responsibility is there so that you have somebody to get your hands on his throat if there is a need to deal with the corporation, similar to MPIC in that respect.

**Mr. Kevin Lamoureux (Inkster):** It seems we are dealing with the regulations and so forth. I must admit that I am a bit disappointed in terms of the Government's action in not coming forth with the

regulations on a much faster basis. I had an incident, and it is in the transportation of dangerous goods and that is, I am referring to of course, biomedical waste. I am wondering if the Minister can tell me what action he has taken in providing regulations regarding biomedical waste.

\* (1030)

**Mr. Cummings:** Mr. Chairman, I will try to answer this question in this form. I would however invite the Member to raise it during my Estimates of the Department of Environment because on the point I just made a moment ago, we are here to look at the Annual Report of the Hazardous Waste Corp. We are spending our time essentially talking about the responsibilities of the Minister of the Environment. So I will attempt to answer the question, but then I would encourage the committee to examine and question the corporation because this is your opportunity under recorded conditions to quiz the corporation on what it is doing, or not doing if that happens to be your opinion.

In relationship to your question, in the broader sense, the Department of Environment is looking at whether or not there are additional interests who are willing to become involved in the handling of that type of waste. There have been private companies who have vast experience around the world who have approached me through the department, or the department through me, depending on what approach they chose to make, to offer their technology. I am talking about incineration capability that there are incineration modules, if you will, that can be attached to hospital facilities that generate energy, probably heat, at the same time as dealing with some of the wastes that come from these facilities. Those types of initiatives have been taken.

If you are asking about regulatory initiatives, it is very clear that while the Member had an issue that he legitimately brought forward and ultimately carried the day on, I think that the process is in place. If it had gone to process, it would still have worked, which is that there would have been a public hearing in which the Department of Environment would have laid down guidelines which the company in question would have had to have brought forward their response to, and we would have judged whether or not they met the standards that we were setting.

It is the same as looking at all sorts of applications, including pulp mills, where you look worldwide for the best technology and standards that can be found in order to apply to the particular issue that you are facing. That system works without having a full book of regulations that have to try and cover every eventuality because every application that comes forward may have some variations or differences within it that can be met at the time by the regulatory authority laying down the guidelines and the criteria that the applicant must meet.

It does do one thing which, again, I guess I would have to give credit to the previous administration. They seem to have a penchant for public meetings and handling. We used to refer to it as such, but it did lead to community involvement, which is very essential in this process. I have, myself, adopted from many years

past, found out that the public, if they are not involved in these types of process become very excited and very unwilling to listen to facts, no matter what they may be.

So the Clean Environment Commission hearing process allows the people who are impacted and involved in whatever the application might be. Whether they live near it or not, an opportunity to be heard and be considered and the relevance stated, the standards that they wish imposed if they want to talk technically, but they do not even need to talk in technical terms, they can talk in broader terms at these hearings and be heard and have their input into the ultimate criteria and regulation that is laid down.

You must remember that part of the problem that you are talking about is also associated with land use and planning. The solvent explosion occurred in an area that was properly zoned for that purpose. If you did not have those types of regulatory land use options out there and already in place, we would have a far bigger problem than we have. But it demonstrates where there are many different jurisdictions, many different responsibilities that come to play, when you try to cite proposals or operations that might be very difficult to fit under a specific set of guidelines.

On the specifics of the criteria in the project that you are talking about, I would invite you to raise it again at my Estimates when I have the people from the department there who can provide you with that information.

**Mr. Chairman:** Mr. Lamoureux, I have promised Harry, did you want to get in? Mr. Rose? Mr. Lamoureux.

**Mr. Lamoureux:** Yes, Mr. Chairperson, I will put off my questioning on the bio-medical waste until the Estimates, but there was one concern that was brought to light that really concerns myself. The Minister can take it as notice and I would appreciate if he would get back to me an answer. Currently there is biomedical waste that is being dumped in our landfill sites. Maybe if he can confirm if that is in fact the case or not.

**Mr. Chairman:** Mr. Minister, briefly.

**Mr. Cummings:** I cannot confirm or deny, but let us remember one thing, landfill sites do take what is broadly referred to as hazardous waste and we are presently licensing landfill sites. One of the worrisome things that councillors say, well, if you are going to license our landfill that it takes hazardous waste, does that mean we have a hazardous waste landfill site? Technically they do not. You are talking about biomedical waste and I cannot specifically respond to that one, but in rural landfills dead animals can be buried in specific areas under specific conditions.

I honestly cannot answer your question on whether or not there is any biomedical waste being put in landfills. I would suspect that if it is happening it must be under some fairly severe restrictions or something that is not actually of the nature that might first come to mind when you raised the topic, so I cannot answer the question.

**Mr. Harry Harapiak (The Pas):** Mr. Chairman, just dealing with the 1987 report, we are disappointed that the previous Minister did not come forward sooner with the regulations but, receiving the assurance from the current Minister that you will be bringing forward the regulations when you are dealing with The Dangerous Goods and Handling Act, then we are prepared to pass the 1987 report.

**Mr. Chairman:** Thank you. Mr. Rose, did you want to comment before we put the question?

**Mr. Rose:** -(inaudible)-

**Mr. Chairman:** Is it the will of the committee to pass the 1987 report? (Agreed)

We will now continue with the Manitoba Hazardous Waste Management Corporation Second Annual Report 1988.

**Mrs. Charles:** First of all, I want to congratulate the staff and personnel in the Manitoba Hazardous Waste Corporation. Any community I know that they have appeared before have been very pleased with their presentation and the methods that have been undertaken. I cannot help but notice that Mr. Cooke refers to a couple of times in his overview how small the corporation is, and I suspect that there is a feeling they could do so much more with more staff and finances behind them. I congratulate them for doing all they do on what little they have to do it with.

\* (1040)

However, we are here to look into the corporation and to ask questions and declarations on it. The Minister did give an overview of the procedures they are at, at finding a hazardous waste site, but the question will arise, what if no community comes forward within a year, two years I believe seems to be your long time frame, the outer limits of that, what if no community comes forward and is willing to have the corporation basically in Manitoba?

(Mr. Praznik, Acting Chairman, in the Chair)

**Mr. Cummings:** You raise a very legitimate question that worries all of us. The ultimate siting of a hazardous waste facility such as this, the experience across North America is not terribly good. There are examples in the States of where jurisdictions finally had to use their legislative authority to force the siting. That is not the approach that we want to deal with, or the manner in which we want to deal with this, we want to use the approach that the corporation is using. I believe there is still 75 percent chance of success. I think they have attracted a lot of negative but also a great deal of very positive discussion out there. Last night's election provided some disappointments I suppose, but they also allow a new benchmark from which the corporation can continue its work to encourage communities to consider them as a site location.

Very briefly, there are a number of sites that the corporation has not yet dealt with that have expressed interest. So I think there is plenty of reason to express

optimism that they will be able to **choose** a site. We have set a deadline within a year to have a couple of sites to take forward and the corporation is working on that. I would invite them to expand on the comment.

I take it that your question was to me, what would I do. At this point I am not choosing a route as to what I would do except that we need a facility. We also need to recognize, and I will put this on the record, that a regional concept can have a great deal of benefit because not all types of material can be handled in a plant such as being proposed here. Co-operation between various jurisdictions has a great deal of monetary plus to it, and in just in logistics of handling materials. I would like Mr. Cooke to give you a perspective from his point of view.

**Mr. Cooke:** In terms of the siting, quite frankly, we are very optimistic. Comparing our experience today to that of other jurisdictions, I think we have made in a short period of time much more progress. I sense, and I think all of us who spent a lot of time talking to people about the issue, that there is a general recognition among people everywhere, urban and rural, that there is a problem that has to be solved; but not only is there a problem, we are all part of the solution.

We feel quite strongly that talking about it is the solution to the so-called NIMBY syndrome. There are three communities currently that have invited us into those communities to actively pursue siting. There is about a half a dozen more that have indicated that they do want to pursue it. There is an initiative by the City of Winnipeg which I know I personally am quite encouraged by. It is legitimate that this type of facility is not a dump, it is not a disposal facility. It is part of the solution as opposed to part of the problem.

I would suggest to any community, rural or urban, that not providing for the proper management of this material is a more risky option than hosting the facility themselves. We are also prepared to justify that in a very consultative way. I would make that observation to a rural community, and I would also make that observation to an urban community including the City of Winnipeg. I think all of those options are available to us and quite frankly I think there is some understanding of that logic and a willingness to investigate it.

**Mrs. Charles:** You speak of the City of Winnipeg as being one option, certainly with the new election, I guess you are hitting ground zero or not quite again to go back to all the communities involved and especially those that have a great changeover in representation on their councils, but the City of Winnipeg, was that in particular the Brady Landfill Site?

**Mr. Cooke:** No, the corporation is not advocating any specific location in Winnipeg. There has certainly been speculation by others about places like Brady Road. No, to locate a facility in or near Winnipeg—I think that both options exist—to manage the organic materials generated in the province, there is no alternative but to develop a major transfer station capability which would be best located in a major urban area, and

preferably Winnipeg. I quite frankly do not think people have any option. Otherwise this material is out there anywhere.

(Mr. Chairman in the Chair)

A crude calculation that I might use for illustration that we did, the sort of off-site requirement for the treatment of hazardous waste in the province, is something like 23,000 metric tonnes a year. If you do a crude calculation and assume you put all that material in 45-gallon drums and put four drums on a pallet and stack them two pallets high, you consume about 200 standard Winnipeg backyards a year. That is a bit of a crude illustration but it is intended to illustrate the fact that it is already there in any area. I think you can make the same kind of assumptions for virtually any area. The issue really is managing it. The option of managing it is better than the option of ignoring it.

As I said, there are a number of locations potentially near Winnipeg that we could qualify. You cannot qualify a facility until you do a lot of evaluation work, so it is very premature to name a place and then proceed on that basis. We will have to look at a number of options if we are indeed invited to pursue that in this area.

**Mrs. Charles:** Are there any standards set for the development of this facility closer to Winnipeg or further to Winnipeg? I guess shipping the hazardous waste would be a problem and yet at the same time if you have a large population around it and put a facility in, there may be added acceptance problems as to the fear of land value and so forth in just the numbers of people around the facility. Is that a consideration and to what degree is that consideration in determining?

**Mr. Cooke:** I think you have raised two issues; one, the issue of public acceptance. I think a fundamental principle that we are pursuing is that this kind of undertaking ultimately will be unsuccessful unless you are able to develop public acceptance and I think that is independent of location. The other issues you mentioned were I think more material risks associated with this particular undertaking, either in terms of transportation or in terms of population density around them.

I guess the two comments I would make there with respect to the latter is that if this kind of a facility cannot be developed in a safe, reliable fashion, in a manner that is equal to or superior to any other kind of industrial facility, then it should not be developed. We are quite confident that we not only can do that, we can demonstrate that can be done. We are not talking about something that is inherently dangerous particularly in comparison to activities that we commonly undertake.

On the issue of transportation, there is a lot of public concern about the issue of transporting this material, and it is useful to put that into perspective. Hazardous wastes are diluted forms of dangerous goods, I think as I mentioned earlier. About between 10 percent and 15 percent of all commercial through-truck traffic on this province's highways, and it is true throughout North America, carry dangerous goods. We have done some

analysis in the case of Manitoba but it confirms that observation made other places. There is a very large amount of transportation of essentially the same kinds of materials conducted anyway with a very high safety record.

\* (1050)

The incremental amount of movements that would be involved in the development of this facility are really very, very small. We are talking probably, including the materials that we would need to operate the plant, four vehicles a day. To use an analogy, between nodal points on the Perimeter Highway there are between 100 and 150 dangerous goods vehicles a day on average running, and that is characteristic on all major routes throughout the province. The safety record of dangerous goods management plus the dangerous goods movement plus the extremely good emergency response capability that exists in this province I think argues that the factual risks associated with transportation are really quite small.

**Mrs. Charles:** I guess a comment on that is, if you choose certain communities, they certainly are not on the Perimeter Highway and the standards of highways leading to that could lead to more problems. I suppose you have considered that highway upgrading could possibly be part of the needs of developing this corporation, and also the response teams networking. In a rural community they may not be up to having the facilities to handle hazardous waste spills or so forth and I would hope that has been considered.

You speak of 180,000 tons produced a year in Manitoba. How was this number calculated? Is this the best estimated guess or is this on an inventory basis?

**Mr. Chairman:** Mrs. Charles, Mr. Plohman maybe had a question on the transportation.

**Mr. Plohman:** No, I am prepared to wait until Mrs. Charles is finished.

**Mr. Cooke:** That is direct survey work that we did. The Department of Environment, before the corporation was established in 1985, did a waste inventory which was widely published. One of the first things we undertook was to update that. We did it really over a year on the basis of direct surveys and a lot of direct technical contact.

The 180,000-ton number is a number of waste that we can identify. It is essentially a market number of what is out there. I would add that we have taken that number and assessed the materials involved in technical terms to determine whether that material can be best managed at source or would be more appropriately, either technically or economically, managed off site, and then discounted that number down to, I think as the Minister mentioned, 23,000 tons a year, which is the requirement for off-site management by various techniques.

The vast bulk of the material, and I would say the priority of the corporation and also use the phrase where we get the most bang for our buck, quite frankly, is

the management of waste at source which should account for approximately 87 percent of that 180,000 tons.

**Mrs. Charles:** Is there any mandate for any given business to list its hazardous compounds, especially following the fire of last year, of knowing in the fire response teams as well for having a listing of what exists, especially in small communities because as we mentioned in our preambles, hazardous waste is being discovered every day and what is new and hazardous is not necessarily known every day.

What type of mandate is there for every corporation to list what chemicals and/or substances they may be using that are even within the close realms of hazardous wastes?

**Mr. Cooke:** I think what I can do is speak from what our standards are and what we do as a handler and storer of this material, which will also touch on what the regulations are perhaps in answering the question. At all our facilities we maintain current inventories and copies of those inventories are also maintained with the Department of Environment as a regulator, but also with the first responder agencies which are fire departments and the RCMP. That is a standard practice we have established and I think is fairly general in the industry.

In terms of the people who generate waste, the requirement of legislation and in fact the requirement of all our licences in dealing with a waste generator is that they be registered as so-called registered waste generators with a registration number with the Department of Environment. We cannot under our licences move material from there unless they are so registered. That process is developing fairly rapidly in the province.

I sense however your question might relate as much to dangerous goods as hazardous waste. When you mention small communities, most elevators store a lot of things that we would view as waste, as fairly obnoxious stuff. Most farmers buy it as farm chemicals and in effect there is a dangerous goods storage facility. I suspect there are many of them obviously in rural communities and urban communities.

I really cannot comment on any process in effect to identify those although knowing a little bit about WHMIS regulations, there certainly is that requirement in terms of information requirements for any employer that is handling or storing those kinds of materials. I think that would probably be the appropriate place to look for those kinds of inventories.

**Mrs. Charles:** I do not know whether it is just me or whether it is the whole business of it, but I find it gets very confusing when hazardous waste becomes a hazardous waste. An amount, a quantity—if I have a tin of paint in my basement, that is not a hazardous waste per se in that it is under your regulation directly, but if I have a business selling them, then it becomes one. It is sort of a degree in a mountain and WHMIS has some respects in the Department of Environment, where you dispose of it, depending upon whether it is hazardous waste or not.

I guess it brings to mind in Selkirk where the car-crushing company was proposing to dump all its so-called fluff—that is all the leftovers from cars—basically you dig up some earth and put it in and keep covering it over. Now, whether it is or is not a hazardous waste, it leaves it wide open in that this could have been done within the Town of Selkirk. Unless a resident had a complaint about it, it probably would not have been brought to anyone's attention.

It is right on the water table. There seems to be possibilities that any substance in the decomposing of this fluff could leak down to the water table and so forth and so on. It just opens this wide gap of how can this type of situation happen. I am not saying whether or not this is or is not a hazardous goods but the possibility is there that acres and acres, I think 50 acres or so, could be used as a hazardous waste site and nobody have any knowledge that is going on, other than the town councillors which may be quite innocent in not knowing that this is a possibility of a future problem.

**Mr. Cummings:** Mr. Cooke may be able to add to my comments, but what is happening—and it might even be today as well—there are a series of meetings that the department has instigated on introduction of waste disposal ground regulations across the province and they are having a series of meetings with the MAUM organization. We will be meeting with UMM. We will get the feedback and those regulations will be imposed.

We are facing probably a 10-year program in order to get all the waste disposal grounds in the province under licence because first you have to remember we do not even know where half the waste disposal grounds are, we have a problem that we have to deal with in identifying where they are. A lot of them are probably quite benign, a little bit of clay over the top of them so there is not a lot of leaching going on and that will be the end of it, because material that was thrown in traditional grounds, across this province at least, was not of a nature that would probably be as much chemical, for example. There could be lead from batteries, that sort of thing.

The issue that you are referring to directly, I cannot give you a precise answer, except I recall that issue being raised. I believe that our regulatory powers that we are putting in place in respect to waste disposal grounds would require, whether it is an industry or whether it is a municipality, to have to comply with the same regulations. There would be an examination of whether or not that was a safe manner of disposing of the product in landfill.

Anything under that regulation, where it has an opportunity to get into the groundwater, would be illegal. If the material is the type that could get into the groundwater, it would have to be on some sort of a clay barrier to stop the leaching that might occur if were something that could leach. So historically I cannot answer your question. In the future, however, that is the type of thing that will be regulated. I would indicate as well, because we are talking about an Environment Department issue basically, that that is probably an example of why the Environment Department is one

of the departments of Government that will continue to grow because of its additional regulatory responsibility.

**Mrs. Charles:** Yes, unfortunately—or actually fortunately—I have to leave for a meeting on the condition of the Red River, so I will point one question to that as I leave. I appreciate the third Party letting me have this time. Hopefully, we will be able to continue on in this discussion, because this department becomes more and more important. I would just like to thank the representatives here for patience with us as we walk around what is your corporation and what is the Department of the Environment and try to fit this all together. I know your frustration is probably warranted, but we appreciate your patience with us.

As to the landfill sites, which I had mentioned last year and the number of sitings that are not really landfill sites but on farm sites and so forth, where chemicals have been thrown, are there any plans to go into our landfill sites as are recognized in the province and grade them as to the degree of pollution that is occurring? I have had brought to my attention that the West St. Paul Landfill Site is running green ooze all the time, which does not seem quite appropriate, and it seems as if perhaps that could be seen as some type of a hazard. Are there any standards of looking into the sites and closing some down or indeed taking the wastes out if that is necessary?

\* (1100)

**Mr. Cummings:** Well, upon receipt of complaints we would send trained individuals to look at the site. If there is something inappropriate there or potentially contaminating that would be dealt with and could even be dealt with under emergency action, I think you maybe want, however, to get some response from the corporation on what they might do presented with those kinds of problems.

**Mr. Cooke:** I think the first point I would make is that—I know the Minister does not like it when I say this; I know I have been warned by the last two Ministers when I say this to be careful. The facts today are is that because we lack proper management facilities for the things that we have concern about, things that we call hazardous waste, the current disposal methods that are available to all of us as individuals and industries are the same facilities that we use for the rest of our waste. They are our landfills and our sewer systems.

You mentioned earlier the Red River quality. Having an alternate for a lot of industrial waste, an alternate to the city sewer systems, in the form of a physical chemical treatment plant, will do a lot for that particular problem. So in a sense we are part of the solution to having adequate solid waste and sanitary waste facilities that are environmentally acceptable. Green ooze in a landfill site is probably the result of some form of material that should be dealt with by people like ourselves rather than going into that landfill. The problem we have traditionally had as a society is that we have not had that alternative, and that is what we are trying to provide.

On the other end of the equation, where there is a circumstance that requires remedial action, we do offer on a commercial basis some of the technical expertise necessary to do that remedial work. I guess where there is a client that wants that done, and I am not suggesting who that might be, we would be very pleased to undertake remediation of, for example, old rural landfill sights that had been inappropriately sited or operated in the past. One of the residual problems society has is that not only do we have to deal with the waste that we are managing now, we have a contingent liability that we have built up over the years that we will also have to start managing.

**Mrs. Charles:** We continue to speak of chemical hazardous waste. Are you as well to cover biological waste?

**Mr. Cooke:** Yes, the materials that we are mandated in and licensed to manage are everything covered in The Dangerous Goods Act with the exception of radioactive and explosive materials, and that does now include actually, under both national and provincial regulations, biological materials. We are involved and do provide commercial services in that area where we can. I may make the comment about biological waste and particularly the kinds of waste generated by medical institutions. In our studies, in looking at that particular problem, it is generally our view that the best place to manage those wastes is at source. There are facilities available in the province in the medical institutions, and perhaps the best way to do it is to develop a sharing capability.

**Mrs. Charles:** My point that I was leading up to is that the effluent, especially in the North End Sewage Treatment Plant going into the Red River, is an extreme hazard to the health, and it is a biological problem in that there are viruses and bacteria that would surely, in the strength when it is pumped into the river, cause extreme physiological damage and illness. Would that be a hazardous waste?

**Mr. Cooke:** I guess the answer in our narrow mandate is no. I think that has something to do with the biological treatment and the treatment plant operated by the particular waste generator.

**Mrs. Charles:** I just have to ask, I do not understand why that would not be. Depending upon the viruses that are in there, could be found in there, and possibly could be present in there, if it could cause illnesses leading to death, why is that not a hazardous waste?

**Mr. Cooke:** Philosophically I am not disagreeing with you that the material is hazardous as you defined it. It is not the kind of material that we are either equipped technically or physically to manage, and practically it is an issue that relates to the technology used to treat sewage. As I understand it, I do not think there is an industrial effluent contributor to what you have just described so the capability to deal with that, one would look to the municipality.

I might add that the municipalities currently are the major waste managers. They also represent, from our

perspective as a hazardous waste manager, one of the major enforcement capabilities. We tend to look to the province for regulatory enforcement but in fact one of the most important enforcers are municipalities themselves through their sewer by-laws and what they allow access to their sewer system or to their landfills because those are the cheap alternatives for materials. I think the specific issue you are talking about probably deals—and I do not know the details of it—with the quality of that particular treatment plant.

**Mr. Cummings:** Give them my regards.

**Mr. Chairman:** Okay. Mr. Plohman.

**Mr. Plohman:** Mr. Chairman, the issue of pesticide containers, particularly with regard to farm chemicals, is becoming an increasing problem in rural areas. This province and many areas of the country, I am sure internationally as well, inundated with these containers, many times partially filled or at least containing residue of the chemicals and so on, and this problem has been recognized, no doubt, by the Hazardous Waste Corporation which this past summer conducted a pilot project toward developing a comprehensive management capability for pesticide containers and residues, and we have a report from that project. I want to ask the Minister, in light of that pilot project, whether he had endorsed the recommendations from the corporation that came forward from that pilot project.

**Mr. Cummings:** I did not have any reservations about the findings.

**Mr. Plohman:** Did the Minister feel that the Hazardous Waste Corporation was able to expeditiously carry out and develop a program as a result of that pilot project to undertake this work on a comprehensive basis for Manitoba?

**Mr. Cummings:** The corporation has capabilities to manage that type of program or many others if they choose to and if the need is there. I think the Member is leading into a discussion which we started in the Legislature, and that is why ACRE was created. I indicated at that time, and it was already happening, and it was indicated in my opening remarks, but the corporation is in fact dealing with that waste and starting to work with it under the agreement with ACRE. They are doing it as a commercial enterprise.

One of the reasons why ACRE was created—and I think this is where we have some puzzled comments coming from the Opposition. I will try to just use a few words to clarify what my intent was and to show that my intent was at least honourable, even though they do not necessarily agree with it, that there was a lot of money that was collected by the CPIC, the Crop Protection Institute of Canada, nominally, they said, at a dollar a container. But it is a voluntary organization so they received money from the member organizations to the equivalent of what those organizations had sold in volume within the province. Their proprietary interests, being what they are, they did not want to reveal precisely how many pails of what chemical they

had sold to their competitors. That money was to reside in a blind trust, which we have now received confirmation and demonstration that it will be held that way and distributed that way. They have committed themselves to quite a transparent accounting for that money.

\* (1120)

There was a large amount of concern on behalf of farmers in this province that they had paid a dollar a pail, and they were now entitled to a dollar a pail back. To begin with, many thought they had paid a deposit of a dollar a pail. In fact, CPIC claimed that the money was assessed at the wholesale level. The argument, of course, is that the end user pays every charge, every donation, that a company chooses to make, depending on how it is prorated.

ACRE has a mandate, as is implied by its name, to deal with a clean rural environment. There are other problems out there besides pesticide containers, but we were very easily able to persuade CPIC to move the funds that they had collected for Manitoba into that body to be used for the pesticide container cleanup without it getting mixed up in the funds of the Government, which is potentially happening in other jurisdictions.

If it went into that sort of an organization, CPIC and the farmers and the municipalities of the province felt that they would not have as direct an input in planning some of the related things that go on, cleaning up of the pails, which the Hazardous Waste Corp. will likely have the contract to finish next spring, depending on the technology that they develop.

The corporation has a mandate that it can do a lot of other things in the educational field. They have to work with the municipalities and the chemical companies. They may be able to do things such as develop reusable returnable containers.

Some of the funds that CPIC has allocated, and they have agreed to allocate them on an ongoing basis, CPIC has agreed that if there are additional funds ACRE can allocate them to other projects.

You could argue that all of this might have been able to have been done under the Hazardous Waste Corp. and I would not deny that it could be done that way. This organization, however, has an opportunity to do some broader things involving the stakeholders very closely.

I said earlier today that we used to badger the previous Government about applying that approach but in fact I am applying it here as well. If the stakeholders are convinced that what is going on is as a result of suggestions that they made and in the direction that they gave, then they are going to co-operate. We have to have the municipal authorities to co-operate on this, we have to have the chemical companies to co-operate because they are putting up between \$600,000 and \$700,000 annually for this project.

Obviously they would rather do it this way than have the heavy hand of regulation come in and apply deposits to the pails. That is still an option that we can use,

however. It is not a manner by which CPIC has cut off the department from any right to do anything in terms of levies and fines, but I have found that the co-operation, and particularly the co-operation we have received up to this point, bodes well particularly in the area of pesticide container cleanup because the municipalities are going to have to run reception sites, they are going to have to be responsible for those reception sites and the farmers and the chemical companies are going to have to be responsible for getting the material in there in a responsible manner.

I also indicated at the announcement of this corporation that if it did not function I would be the first one to shoot it in the head. I still stand by that commitment, but we have the money from CPIC, we have the program on the road despite a lot of people who said we would never get the money from CPIC, that we would never see that money. They are quite pleased with this approach. It is a voluntary industry approach. The \$600,000 was theirs, let us remember that.

I think that if this does not work, as I say, we will eliminate it, but I believe by having the stakeholders together on this one they will be able to do some very imaginative things. If the municipalities all co-operate, for example, there will be a very quick and easy way to get people to bring their containers to identified, correctly sited locations. If they are not co-operating and they dig in their heels and say we do not want that junk here, we do not want your rural municipality bringing this material to our town dumpsites unless there is working agreements with the RMs, all of these things indicated to me that was a fair and reasonable approach.

**Mr. Plozman:** The Minister has obviously rationalized in his mind that this could best be done through a separate corporation as opposed to the Manitoba Hazardous Waste Management Corporation which is already in place. I do not understand, from all that he said, why he felt that this was necessary. I agree with him that grass-roots involvement is very important as the people in the rural communities have to be involved. I see that he is establishing a board of directors and so on, but what that means to me is that there is going to be a delay in dealing with a very urgent problem as opposed to perhaps moving more quickly with the mechanism that is already in place under the Hazardous Waste Corporation, which undoubtedly could have added this kind of mechanism to their mandate quite easily. It could have been accomplished under their jurisdiction quite easily. I note that, for example, tenders in the Russell Banner, the arm of Russell is indicating that they are looking for contractors to separate their containers into plastic and cardboard and metal containers and so on to haul them to different locations.

I am sure there are many others that are doing this and it is a very urgent problem. Does not the Minister feel he could have moved more quickly if he had just given the Hazardous Waste Corporation a direction to get on with it now that the pilot project was done, rather than establishing a separate corporation which undoubtedly will lead to further delays?

No one would have been more pleased than myself if I could have simply, in the end of June, said to the Hazardous Waste Corp. or anybody else go out and clean up those containers. I did not have a fund at that point, I did not have an agreement on how the funds would be flowed, and the simple fact is the corporation is doing the work anyway. We have committed ourselves to ACRE inasmuch as one staff year of my department will be committed to working with this organization to carry out their mandate and do some of the organizational work.

There are broader mandates out there, in the rural municipalities, that the corporation can address. If they choose not to, then perhaps their life will be short, but I can tell you that there is a fair bit of interest by other jurisdictions in looking at what Manitoba has done here, because we do not in any way want to be seen or ever want to have to explain to CPIC what happened to the money that they sent to Manitoba for disposal of pesticide containers.

They cannot precisely say that it will cost \$600-and-some thousand dollars. It would not probably cost that much, or maybe it will cost more. If those funds end up in the Department of Environment, for example, there is a lapse factor. I can not carry that money forward from one year to the next. I have to account for those dollars. This gives a very clean separation of responsibility. You can argue it, as you just did, but I can tell you that we have received a very positive response from CPIC by using this model.

They feel they are therefore getting some credit for what they are doing and any industry that wants to pop in between \$600,000 and \$700,000 into cleaning up behind itself does deserve some credit. So there is that element of it as well.

The municipal authorities that are involved may have some very definite plans on the type and location of their waste disposal grounds. They may argue, some of them who are on sandy soils for example, that they may need some assistance on how their site is designed. They might even ask for some cost assistance for a site to locate waste chemical pails. CPIC and ACRE, given the way they are structured, will be able to talk to them about that and have some money in their pockets if the program is being properly managed. So to that extent there are things they can do that the Hazardous Waste Corp. would have been unable to do.

\* (1130)

**Mr. Plozman:** Mr. Chairman, I get the distinct feeling that the Minister is more concerned about the co-operation of the chemical companies and CPIC turning back that money and, which is very important obviously, you need the money; but there are other ways to ensure that they do that than getting the co-operation of the municipalities. The Manitoba Hazardous Waste Corporation, through their site selection efforts and the communication that they have developed, extensive throughout the province, certainly must have developed a lot of good will, I think, and a lot of respect from municipalities around this province for their efforts. Their

willingness to work co-operatively and the trust that would be built up already is not being capitalized on by setting up a new corporation which does not have that trust inherent immediately. It has to earn that.

So I think the Minister has perhaps sacrificed the ability of the Hazardous Waste Corporation to move expeditiously in this manner because they have the trust and the co-operation of the municipalities for the co-operation, as he calls it, of CPIC which I think he could have received in any event with very little effort.

**Mr. Cummings:** I will respond briefly and I would ask Mr. Cooke to put the pilot project that they did into perspective. I just want to indicate that the co-operation, CPIC was only one of three parts that needed to be brought together. The agricultural community needed to be convinced that the disposal of the containers that they were using was being done rationally. There was a great deal of feeling out there that they had paid a dollar a container.

The other thing was that responsibilities were spread between departments. The Department of Agriculture has always been responsible for agricultural pesticides in many respects, but they were never responsible for the disposal of them. The Department of Agriculture and our department have co-operated quite closely in this effort. This is not to usurp what the Agriculture Department is doing, it is simply accepting our responsibility to get rid of the hazardous product that remained.

The co-operation of the municipalities, as a former Minister, both of us, should understand the independent nature of some of the people who are out there and they do not take kindly to being ordered to do certain things.

Co-operation and long-range planning means something to them and, as I say, if this does not work, then I will be proven wrong, but if this works, then it will be proven that we have voluntarily put together a system to deal with pesticide residues in this province where the return rate will be high and where the results will be efficient and where there will be enough money left over that some research can be contracted out. It has to be emphasized that ACRE will not, in my opinion, have any employees other than a director.

Mr. Cooke, if you wish the explanation and some information on the pilot project, I invite Mr. Cooke to give that.

**Mr. Plohman:** Well, I would not mind having some information. I know my colleague was interested very much in that particular project and he even attended some of the demonstrations that were taking place while it was going on in July. But I just want to conclude my remarks and leave the floor for someone else for the time being on this issue.

What I was largely pointing out to the Minister, I appreciate, first of all, that the municipalities do not like directives and they do not like to be imposed upon and told what to do. I agree with that wholeheartedly. They are very independent minded, but they realize the extent of this problem and so does the agricultural

community. I think that is common out there. The timing obviously is excellent for capitalizing on the co-operation of all of those parties because the public is becoming more and more aware of the problem and more and more people are realizing that something has to be done about it.

I am making the assertion that the Hazardous Waste Corporation, with its track record that it has developed over the last couple of years, could have co-opted the other parties into a co-operative approach much easier than a new organization that is being formed. That is the point that I am saying that would have not missed a stride on this or lost any time on a very urgent issue. But I would like to hear perhaps the others who want to ask questions and we will leave it to my colleague, when he is recognized by the Chair, to ask some more questions on the particular experiment, if that is okay with him.

**Mr. Chairman:** Mr. Harapiak, would you like the explanation now?

**Mr. Harapiak:** No, I think Mr. Rose had the question so I will ask my question after.

**Mr. Bob Rose (St. Vital):** I seem, Mr. Chairman, to have a signal from the Member for Lac du Bonnet (Mr. Praznik).

**Mr. Chairman:** Mr. Rose, would you pull your mike over a little more? We cannot hear you for Hansard.

**Mr. Rose:** Mr. Chairman, I want to add to my colleague, the Member for Selkirk's (Mrs. Charles) observations that we are pleased to see the substantial progress that has been made in a short period of time, obviously under the expertise of the management and executive of the corporation under an extremely complex situation and a tough subject I am sure to handle, and we look forward to continued progress.

In that regard, Mr. Chairman, I would like to know if the Minister could give us some sort of ball park figure in general terms where Manitoba in this sort of initiative stands in comparison with our two neighbours, Saskatchewan and Alberta to the west of us here.

**Mr. Cummings:** Mr. Cooke could give you a better answer. My opinion is that Alberta has a site, an operating facility; Saskatchewan does not; Manitoba does not, although our siting process is proceeding. On a national scale of 1 to 10, I would say that our siting process is very near the top. Obviously those who already have sites are at the top. I would ask Mr. Cooke to expand on that though.

**Mr. Cooke:** I certainly like to think that I can echo the Minister's comments on being near the top. Manitoba is somewhat unique in the country in that the approach taken—and it has been a long-term approach going back quite some years before the corporation existed, but I think we are part of that in the continuance of it—is to view it as a hazardous waste management system as opposed to a site and a facility.

In terms of developing an overall system integrated to manage waste from source through to its ultimate

disposal, I would suggest that we are really in the same ball park with Alberta, which is probably the most advanced in the country, and Ontario which is also making reasonably good progress. The other jurisdictions in the country quite frankly are watching our experience, Ontario's experience, and Alberta's experience in an effort to follow.

The province I think could be described as having an anticipatory approach to the problem, and I reflect on that when I look at the situation currently in Quebec, which certainly has probably greater needs than we do here and is really in a great dilemma as to what they do, and obviously it has become a very emotional issue there. In a sense we are ahead of the game and hopefully we can maintain that progress.

**Mr. Rose:** Mr. Chairman, that is very encouraging. Earlier the Minister alluded to a fire at the solvent plant and indicated that indeed it was in the proper zoning. I guess it was under the appropriate hazardous waste regulations and I presume also there would be a factor in there, the training of employees.

I wonder how that might compare with any similar hazardous waste requirements or training programs for employees to the numerous and many service stations that dot the City of Winnipeg, for instance, if there is any parallel.

**Mr. Cummings:** Mr. Chairman, I wonder if the Member would expand on his question. I was listening but I did not just catch his direction of the question.

**Mr. Rose:** To put it another way, the fire we saw over in St. Boniface, if you compare it with the numerous time bombs perhaps that are sitting in almost every neighbourhood insofar as a filling station, what kind of regulation are they under, if any at all, in this department? Taking into account the large volumes of hazardous product they handle including propane to us in extent, is there any requirement on their part, any special requirement of handling and disposal of what surplus gasoline or other petroleum products that they have?

\* (1140)

**Mr. Cummings:** You are largely getting into the area where Workplace Safety and Health would be the responsible body.

You referenced the fire in St. Boniface, and there was some question raised at the time about whether or not the firemen knew what they were facing when they got there, whether or not that communication was appropriate and fast enough. Everybody said, well, because the owner showed up on site, that was the only way they would have had the information available to them. That is not true. The response team of the Environment had a mobile unit on site, and another, they are on 24-hour call, were notified within a very short time of the response. The leader of our team was at his desk in Building 2 with the information on computer to feed by mobile phone to the on-site response people or to the Fire Department, whoever needed it, to reference what was there.

I think what happened really was there was immediate media response, because I happened to be out driving in the city that night myself and I saw this fire of enormous proportion going up in what was a fairly easy to see area. Media response was almost immediate there as well. They stopped people as they were going to the response or had only been there momentarily and asked them, well, do you know what is in there, and their answer was no. The fact is that information was and could be obtained quite readily.

We have since instigated further discussions with the City of Winnipeg to see if there is any way that can be improved. The city already has an awful lot of information on its own computers as to what they might be responding to, as I understand it. Our response team is there, on call 24 hours a day and can very quickly respond to those types of questions. Whether your gas bar attendant is well enough trained might be a moot question, but certainly if you are handling something such as propane, is what you mentioned, that there are specific procedures and instructions that employees are expected to follow. That means you could ask whether or not the propane should be even stored in the locations it is and the regulations they operate under allow for it to be.

**Mr. Rose:** Mr. Chairman, I guess what I hear the Minister saying is that indeed this problem or situation is handled not by regulations under the Hazardous Waste but under Health and Safety.

**Mr. Cooke:** Yes, again, I could respond really from the perspective of somebody who is regulated under those sorts of standards or whose operations are in that the issue of any workplace where there are dangerous or potentially hazardous materials around is something that is addressed by the appropriate workplace legislation and a very high level of enforcement in fact is applied in that area that we see, and certainly we see other people commenting on.

One comment I would like to make though generally that I think is—you made a very valid point that there are all kinds of activities that we undertake from gasoline stations, bulk dealerships. One of my favourite examples in rural communities is an anhydrous ammonia storage facility that do represent a hazard.

It is interesting in our business, where we are dealing with hazardous waste, that there is a change in the public's mind in looking at the local bulk dealership or the local anhydrous tank or the local gas station and then looking at something like a solvent recycling operation or a hazardous waste treatment plant. In fact, they are all comparable kinds of facilities that represent the same types of risks and really should be built and operated and the people who are involved in them trained to the same level of standard. Hopefully, society will begin to view dangerous materials and hazardous wastes in the same light and apply the same standards to them and that will certainly improve our ability to solve some of these problems.

**Mr. Rose:** The last meeting I had, I think it was the last meeting, I had a question about a major gasoline

spill on the Trans-Canada Highway-St. Anne's Road at a Shell station there. If I recall this corporation was brought in for some consultation and clean-up of that. I think that answer was given.

Just very short time ago, right next door, there was another major spill that went into the city sewer system and entailed the Trans-Canada Highway which was a brand new piece of road in '70 to be torn up to retrieve the gasoline that was in the sewer system. I was wondering if on that particular occasion, I think it was some month and a half or two months ago, if the corporation was brought in for any consultation in that particular case.

While I am asking that same question, we virtually everyday see now renovations on service stations where they are tearing up these old tanks and replacing them, getting prepared for disappearance of lead gas, et cetera. Do they generally have anything to do with that, or who is brought in to supervise the disposal and removal of those tanks? I think in virtually all cases, if not all cases, there is a fairly large amount of gasoline left in them as they take them out of the ground. It is impossible to pump all of the gas out of them at any time. If they did it would be really sort of sludgy stuff at the bottom.

**Mr. Cooke:** In answer to your first question, I believe that we did respond to your question about a gasoline spill some time ago on St. Anne's Road. I think the response was that Ed Yee, who unfortunately has just had to leave, was formerly with the Department of the Environment and was in fact the original and sort of founding leader of the provincial Emergency Response team, so he had been involved in that particular case. That particular situation, the Emergency Response team is headed by the Department of the Environment.

We do not actively get involved unless we are called upon. A number of our people are trained. If they need additional resources, we are available to them. I believe in the situation or the accident a few weeks ago, or a week ago, on the Pembina Highway, we were not involved in that although we have since been asked to look at some of the clean-up residuals that were picked up as a result of that. There was not much because it was a fire, and in that case, I think it burned.

In answer to your question about residuals in old gasoline tanks. Yes, we are often asked to look for outlets for the safe and environmentally sound disposition of that material. The current program that many of the large retailers are undergoing is one that is required by regulation to both upgrade the nature of the tanks and to address traditional problems with underground storage tanks. The major gasoline marketing companies and oil companies have their own capability to manage sludge. It is my understanding that most of them will steam clean those, collect the sludges and they will in fact be returned to the refineries. So they look after most of that themselves.

Where we have been involved usually is where there is an independent retailer or somebody like that involved. The residuals, it is my understanding, are collected and managed properly.

**Mr. Darren Praznik (Lac du Bonnet):** Firstly, I would like to say to the representatives of the corporation who are here today that I have had the opportunity to follow their work as they go through the site selection process with one of the potential sites being in my constituency. It is something I watch very closely.

I have to say that it is a very difficult process in the work that they have to do. It is not easy to select a site, there are so many things that have to be considered. Of course, getting the information out to the public and overcoming the fears that exist, overcoming the lack of information that is obviously out there is a difficult task, and I have to compliment them on the work that they are doing. It is a job that I certainly would not want and as they move through the process they are doing, I think as fine a job as can be done, and I would like to compliment them on that today.

\* (1150)

A couple of the questions that I have relate to where—I am sure that in their work in assessing the needs of waste management in Manitoba that they have done an assessment as to where the waste is coming from, what parts of the province, et cetera. I am curious as to know the type of waste they expect to see in that facility and the areas from the province where that waste is produced, if they have some information they could share with the committee.

**Mr. Cooke:** We have some published material that I do not have with me—but if I did I would maybe table, I certainly would pass on—that indicates the breakdown of various categories, the kinds of industries that they come from and also the regions of the province.

In general terms, 80 percent of the waste market as we view it is sourced in the Winnipeg region. The City of Winnipeg is the major waste generator and it is where most of that waste currently resides. In terms of the industry, the types of waste that are generated, the majority of the hazardous waste produced are what we call inorganic wastes usually aqueous solutions, acids, bases, cyanide solutions, heavy metal solutions and things like that. This is in terms of volume.

The organic wastes, which are things like solvents, hydrocarbons, various farm pesticides, for example, represent the smaller category or the smaller proportion of materials. So we end up in a situation of really trying to develop two capabilities: one, to manage organic wastes which will largely be, directing as much of it as possible, to our resource recovery option, fuel or recycling; and that which we cannot manage, to export to some other jurisdiction for incineration and then develop a treatment and disposal facility, a so-called physical chemical treatment plant, to deal with those inorganic wastes. That is the basic approach.

A comment I maybe should make on terms of the industries that waste comes from, there is a common perception that the bigger the industry, the bigger the polluter. That is somewhat fallacious. In our business, the bigger the industry, the more likely that industry has the resources and the capability and probably the

moral responsibility to manage their wastes at source. So there is also a correlation that the off-site system for the facilities that we are developing tend to have a service orientation to the small- and medium-size industries as opposed to the very large industries who are large enough to look after their own wastes and increasingly are doing so.

I make that point, interesting enough, because in discussing this issue, particularly in rural communities where rural economic diversification is an issue, I have had people say that we would have a toy factory, but we would not have a waste management plan. Well, a toy factory is going to be a major waste generator. It tends to be the small, medium-size metal manufacturing industries that are the major clients that we have. It is precisely those kinds of industries that many smaller centres in Manitoba and anywhere else are attempting to attract. There is a correlation between our kind of development being the kind of infrastructure that might well be service and attract those kinds of undertakings to smaller communities.

**Mr. Praznik:** Mr. Chairperson, I very much appreciate that answer. In terms of the specific industry, I am curious to see how the pulp and paper industry fits into that waste scenario, particularly an older mill like Pine Falls, which I understand from the information I have and it may be inaccurate, is a major producer of wastes that would potentially go into a site like that. Is that true or not?

**Mr. Cooke:** The forest products industry is potentially a generator of various kinds of hazardous waste as would any industry be. I think the wastes that you are probably concerned about are the water effluents that are released into rivers, which is really something that we do not address directly, except I would make the comment that as regulation of effluents from any industry increase, the amount of hazardous wastes produced increases because then it is being captured and then you have to do something with it.

I think as every industry is doing these days, the upgrading of pollution control generally, be it scrubbers on stacks or greater waste water treatment and those kinds of things, they will increasingly become customers of ours as they are looking for homes for the residuals from those treatment processes. The pulp and paper industry has some specific waste streams that we would certainly look to as a market quite outside from their waste water streams on both organic and inorganic wastes. I would not identify them as a major or unique waste generator in any way though.

**Mr. Praznik:** I was particularly curious about the pulp and paper industry because of the concern of effluent being dumped in the Winnipeg River, Lake Winnipeg and of course with the new facility, Repap at The Pas.

My last question: earlier in the Minister's presentation and some of the comments that you made, Mr. Cooke, with respect to markets outside of the province and the economies of scale and efficiency that go into establishing a facility like this, I am particularly interested in knowing how the corporation views those

markets. Are we looking at Saskatchewan, are we looking at northwestern Ontario, have we had any major contacts in that area or discussions with the Government of Saskatchewan? I am curious about that, Mr. Minister.

**Mr. Cummings:** I will allow Mr. Cooke to expand on the use we make of licensed disposal sites in other jurisdictions but you ask, have there been major contacts made? That is not our process at this point but we are however very clearly saying that regional co-operation is necessary, and it is only good citizenship that would dictate that. I should not say only, it is good citizenship that would dictate that because you have to be in the game to be a player, or if you are a player on your own then there is a broad spectrum of materials that you will have to deal with. You will have very expensive facilities and very little volume so you may end up simply storing it, which is not, for long periods of time, the best thing to do.

I have taken the approach that regional and bilateral co-operation is important but in terms of this corporation, this site, they are talking about capacity in relationship to what Manitoba produces. Now I know the corporation works with other licensed disposers and Mr. Cooke could perhaps expand on that.

**Mr. Praznik:** Mr. Chairperson, if I may just clarify my question for Mr. Cooke because I think the Minister has answered substantially what I had asked, I am just particularly curious to know that in the planning process, are we really at the beginnings of the planning process with respect to co-operation with neighbouring jurisdictions or are we a fair way down the tube already? I am curious as to where we are in that process as opposed to more detailed information.

**Mr. Cooke:** No, we are I think well along in—the planning process is proceeding apace is maybe the best way of putting it. Since we came into existence we have maintained a very close liaison with both commercial and Government operations in all the other jurisdictions that are relevant. We, for example, are regulated by Environment Canada, USEPA, in other jurisdictions in which we have to operate to export waste.

\* (1200)

I want to first echo the Minister's comment, the system we are designing is being designed and sized for Manitoba's requirements, that is the mandate of the corporation. We have included an attempt to maximize the flexibility that we have simply because we do not know what our requirements would be in the future. For example, in terms of siting, we are siting a facility that our intention is to build a physical treatment plant. We will qualify that site though to include a capability and do the environmental assessment for incineration, not necessarily because we want to build it, but simply because we do not know what we will require in the future.

One of the advantages of a physical chemical treatment-type facility is that it is readily expandable

by labour addition, and that gives us a lot of flexibility and that is unlike an incineration facility which has a lot more economic constraints attached to it. We have maintained a good working relationship with Ontario, for example, and they have indicated to us very directly, this Ontario Waste Management Corporation, in dealing with them one on one. I am sure, I know, the Minister is aware of this.

Their comment is that when their facility is developed, which they expect to have developed in the next three or four years and it will be one of the world's largest, a fully integrated facility, the one jurisdiction they know they will allow access or they have indicated that they will allow external access is Manitoba. That is based on two things: (1) they view what we are doing is what we should be doing so that we are meeting our moral obligation; secondly, they would like us to provide what services we can to northwestern Ontario, which is extremely difficult for them to service from a facility based in southern Ontario.

I think that is an illustration of the kind of reciprocal arrangements that we can evolve and become involved in. I think there is a similar prospect in time involving with Alberta where there is an incineration facility, but perhaps there is the lack of physical chemical treatment facilities.

Even the Province of Saskatchewan offers some opportunities for directing waste to various resource recovery activities such as cement kilns and things like that. Certainly today the major metal pesticide containers, once decontaminated, virtually all end up in Saskatchewan in a furnace, although some of them were made in Manitoba. So these are all examples of how ultimately we are going to end up sharing unreciprocal basis capabilities and the net environmental benefit of that will obviously be positive, as opposed to kind of balkanizing ourselves.

**Mr. Richard Kozak (Transcona):** On a point of order, Mr. Chairman. I certainly would not begrudge any Member of this committee from questioning the Minister and the officials at as much length as is deemed necessary by the Member. However, I would advise Government Members who are putting their questions on the record that the official Opposition will not consent to adjournment of the committee until our questioning is complete.

**Mr. Praznik:** If I may speak to that, first of all—

**Mr. Chairman:** Is that on the same point of order?

**Mr. Praznik:** Yes, it is, Mr. Chairperson. As a Member of the Legislative Assembly and elected by the people of Lac du Bonnet, I have as much right to ask questions as any other Member of this Committee. I was raising my hand, I would add, to the Member for Transcona (Mr. Kozak) to just indicate that I was quite satisfied with the answer from Mr. Cooke and was ending my questioning, but I do object to the attitude of Opposition Members that Government backbenchers have no right to ask questions.

**An Honourable Member:** Hear, hear!

**An Honourable Member:** And I resent that.

**Mr. Chairman:** Mr. Kozak, is this on the same point of order?

**Mr. Kozak:** Yes, Mr. Chairman, it is. I would like to state for the record that I concur whole-heartedly with the remarks of the Honourable Member for Lac du Bonnet (Mr. Praznik). The point of order I raised was not intended to terminate his questioning. The point of order simply served notice that my Party would not consent to adjournment until our questioning was complete. There was absolutely no implication that the Honourable Member for Lac du Bonnet should not get his comments on the record.

**Mr. Chairman:** Thank you, Mr. Kozak. A dispute over the facts is not a point of order. Mr. Harapiak.

**Mr. Harapiak:** I want to begin by acknowledging the work that the chairman of the board and chief executive officers have been doing. I think that no matter where you go in the province of Manitoba, there is nothing but praise for the work that you have carried out in trying to find a site. I know that it was not done in any way in a heavy-handed way, and I think that is one of the losses that we have by not building on that good will that was built out in that community by carrying on with the work that was given to ACRE's organization.

The Minister has mentioned that there will not be one employee. I think that just reinforces our argument that it could have been by Manitoba Hazardous Waste Corporation, and I think that this is window dressing. It really was not necessary to create this new organization to handle the funding that was coming in and I think that there was a waste of good will that was established throughout the province. I think it is unfortunate that the Minister chose to go in that direction and I think there is a loss of a great investment that was made by the corporation over the last seven or eight years of going around the province.

I just wanted to add to that, as the New Democratic Environment Task Force, we had an opportunity to travel around the province speaking to many people on the state-of-art environment and certainly from the hearings that we had, there was support for the concern for the preservation and the enhancement of our environment, so the goals that we are striving for as a corporation are certainly supported by the general public out there.

One of the initiatives that was carried out by the Manitoba Hazardous Waste Corporation is the project at Rosburn dealing with pesticide containers. I had an opportunity to be in Rosburn when they were carrying out the cleansing of the containers. I had an opportunity to speak to many of the community members and they were very pleased with what was happening there. I think that the results of the recommendations that have come forward from that initiative certainly would reinforce our opinion that could have been carried out by the Manitoba Hazardous Waste Corporation.

Can the Minister tell us what the other jurisdictions are doing, how they are flowing their funding? Did they

set up a Crown corporation or a corporation like we did in Manitoba? You said that we were being looked at as the example. Can you tell me how Alberta and Saskatchewan have been doing it to this point?

**Mr. Cummings:** Well, there are a couple of things that I would like to say in relationship to that. Number one, this is not a Crown, it is a non-profit corporation. I did not say that they would not have one employee, and said that they will have a director. I did not anticipate that they would hire a staff or that their work could be done through contractual agreements, which makes a great deal of sense, I think, in terms of minimizing any administrative expenditures that would be associated with it.

\* (1210)

Further to that, the question about the other jurisdictions: Saskatchewan has a system in which they are doing the work through contractors and then expect to be able to bill CPIC. Interestingly enough, that is exactly one of the reasons why there were an awful lot of farmers across the province who were insisting that Manitoba would never see a dollar from CPIC, because the rumour was rampant out there that Saskatchewan was spending all this money, and CPIC was going to pay the bills, and there would not be anything left for Manitoba.

That is why I go out of my way right now to give CPIC some credit for taking some initiative in this area and for sticking by their original word which was that they would prorate the funds into the provinces where the sales were made.

Alberta uses their Hazardous Waste Corp. to clean up. They have a rather elaborate system already in place, and I quite willingly say that we are starting from well back in relationship to what Alberta is doing. But I can tell you that there are people within Saskatchewan that believe that this model that we are experimenting with may be something that would be useful, and I do not in any way mean to be speaking on behalf of the Saskatchewan Government.

It is not that source that I am speaking from, but I am saying that there is a body of thought out there that our system might very well provide some answers that they have to have in the not too distant future, and I simply would want to put on the record that I reject the thought that we may have lost a lot of good will. I think we have built upon what may have been some good will in the first place, but I would like to get on with the report here, so I will not expand on that.

**Mr. Harapiak:** I want to ask some questions about the process that they use and the results of the Rossburn experiment. First of all, have you at this time appointed a board of directors, and if not, how will they be appointed, and will there be a regional representation on that board?

**Mr. Cummings:** There is an interim board to get the letters patented to incorporate. I have sent letters asking MAUM, UMM, Keystone to indicate who they would

like. That will not be, however, a case of them nominating; I am seeking their advice.

If I agree with their nomination—in other words, they will be ministerial appointments. There will be also members at large in which we will try to address the regional aspects of it, bearing in mind that Thompson does not have a farm pesticide problem at this point.

As ACRE however, if they were to expand to do other things in rural Manitoba, which they have been told that is an area that they need to explore as soon as this system is in place, then certainly the ACRE would need to make sure that it has mandates or representation regionally across the province. It is ultimately, as I said, ministerial discretion and ministerial appointments, not O/C appointments—ministerial appointment to the board.

**Mr. Harapiak:** Mr. Chairman, I would like the Minister, he said that Thompson has no agricultural waste operations, but there is one part of the province that often gets overlooked when it comes to agriculture production—

**Mr. Cummings:** That is why I mentioned it.

**Mr. Harapiak:** —and that is The Pas. So I would hope that there is some opportunity for somebody from that part of the province, as he has mentioned, has some opportunity to submit names. I am wondering if we, as Members of the Legislature, will have an opportunity to submit names. Will you be seeking names from the NFU and the Pool as well?

**Mr. Cummings:** Mr. Chairman, I will accept recommendations from all sources. The three that I named will be the areas that I have written letters asking for recommendations.

I am a member of Pool and UGG. If the Member wants to get into a farm argument with me, UGG was the original co-op, so we must not forget them if we are going to start designating things in this manner. When I said Thompson, I meant to reference that in a regional sense, and certainly if ACRE grows, as I have hopes that they will, then northern representation, whether it is The Pas, Flin Flon, Thompson or wherever, needs to be an important aspect of it.

Could I add one point, Mr. Chairman, just to finish on the structure of the board? The communities no matter where they are located have an opportunity to be members of UMM and MAUM, and any member from those areas can report directly to those organizations and through that mechanism every community in the province has an opportunity to make a comment and have input through that representative. MAUM is not a huge organization and they have regional and provincial meetings. I would expect that their representative will have to answer to them in terms of what he is contributing to ACRE.

**Mr. Harapiak:** Has the Minister decided how big a board will be appointed?

**Mr. Cummings:** Seven.

**Mr. Harapiak:** Moving on to the pesticide containers. The problem when we travelled throughout the province that is one of the issues that was raised in every rural meeting that we had. There was concern from a lot of people who were under the impression that they were paying a dollar for a container so that the problem the Minister raised earlier that they felt they were paying for it, I can tell you goes on throughout the province. Most people felt that they were paying a dollar per container and they felt that it was a deposit. So they were quite often wondering why they were not getting a return on it when they were taking it to the sites.

I wanted to ask Mr. Cooke, if after going through the process at Rosburn, do you feel that Manitoba Hazardous Waste Corporation could have put in place an operation to handle all of the pesticide containers in the Province of Manitoba?

**Mr. Cummings:** I think the Member for The Pas is being mischievous. I already said that there would be no problem in my mind that the corporation could have done it. I have chosen the other route because I wanted to encompass the thoughts and the involvement of the communities that are out there, the communities who have responsibility, the municipalities and the farmers. Mr. Cooke will answer the question without any repercussions from me, but I want it clearly on the record that he is being mischievous in this question because he knows darn well that I said it could be done.

**Mr. Cooke:** My answer is that I certainly believe that we can do it and I have every expectation that we will. We are currently under contract to ACRE. The first contract I think that they have let, I am not sure the paper work has followed the instruction to do the job. The job being done right now is the collection of the residues from the traditional can crushing program. We have had a crew in the field for the past week and that has just been completed, and that is done under contract to ACRE.

I should put the pilot project that we did, as it turned out in Rosburn, in perspective. That was done as a business development exercise by the corporation essentially. We recognize there will be a market now that there are sufficient funds available to properly manage pesticide containers and some public will to get after that problem. We view that as a business opportunity.

Our traditional frustration as a commercial waste manager has been that we could not find the client, and the one thing that we now have in ACRE is a client. We know at least who we make proposals to and who we send invoices to if they happen to hire us which, if you are in the commercial world, is useful to know.

Once we had understood that sort of system was going to evolve, we undertook that pilot project really to look at what the costs would be and how we could make proposals to this organization or the evolution of this as it came along. It certainly would have been, and I am not saying this in a critical way, it would have been nice to have them sooner and then we could have made proposals sooner. The organization now exists and we will pursue that business.

\* (1220)

I might also add in the context that our neighbours to the west have talked to us in the same commercial context, and we perhaps have some prospects of providing commercial services in this area with a comprehensive system in the Province of Saskatchewan as well. It will be expertise that we will be able to develop here and perhaps export to other places.

**Mr. Harapiak:** I just wanted to assure the Minister that I was not being mischievous, I was just trying to seek further information. On that, will there be additional staff available to the corporation? Maybe I should ask the Minister that question for carrying out some of those responsibilities they have. Because of a pilot project, there were some very interesting recommendations. Will the corporation be carrying out the public education part of it, some of the work that is necessary with the pesticide manufacturers because of the deficiency of the plastic container versus the metal containers? Will some of this information be made available to the pesticide corporations and who will be doing that education?

**Mr. Cummings:** Mr. Cooke can answer part of it, and I will answer the second part.

**Mr. Cooke:** All the technical work that we have done we have widely distributed, including to the pesticide manufacturers, distributors, other jurisdictions.

In terms of our staffing requirements to provide these services, we provide these services on a more than cost recoverable basis, basically as a commercial operation, and any staff requirements that we have to develop to provide this is cost recoverable. It is not a question of I think applying for man years, it is a question of whether we can justify the individual and the expertise and that is part of the price that we would charge our clients.

If we undertook this work on a major basis, we would have to hire some field people which we are capable of doing and capable of training. That would be subject to having a commercial commitment from ACRE to undertake the work.

**Mr. Cummings:** I will just add one point. The ACRE would also have an opportunity, I think a very unique one, inasmuch as the structure of the board with a representative of CPIC there as well, and the municipalities and the representatives of the farmers who have to deal with this stuff will have some rather practical comments to make to CPIC. The information that is the practical side of the problem that is created with this can be dealt with quite directly as well.

**Mr. Harapiak:** The Member for Transcona wants to ask a couple of short questions, so I will yield the floor.

**Mr. Chairman:** Mr. Kozak, very good, we would like to hear your comments, too.

**Mr. Kozak:** Certainly, my gratitude to the Member for The Pas.

Members generally take an interest in ensuring and monitoring the accuracy of all reports placed before the Legislature. I would like to refer Members' attention and Mr. Cooke's attention to a photograph appearing on page 9 of this year's annual report, captioned "Discussing the Hazardous Waste Issue with the Public." May I ask, Mr. Cooke, whether any individuals appearing in the photograph mentioned are in fact not employees of the province?

**Mr. Cooke:** Two of them are not. They are not of the province, they would be of the corporation. I would comment that the picture for purposes of appearing in the annual report, we did collect the bodies that we needed to get the picture taken, and it is a representation, but some 150-plus such events with similar scenes have occurred around the Province of Manitoba in the last year and a half. So the picture generally is not unrepresentative.

**Mr. Kozak:** Thank you, Mr. Cooke. Certainly the error or misrepresentation in captioning is not grounds for overturning the annual report before us today. I would, however, note it as something that has come to our attention. I am always pleased, Mr. Chairman, in connection with the picture before us to see constituents of mine achieve celebrity status. Is Mr. Bill Omiucke an employee?

**Mr. Cooke:** Yes, Bill is manager of our commercial operations in the corporation.

**Mr. Kozak:** When would Mr. Omiucke have been taken on staff?

**Mr. Cooke:** He joined us in January 1989. He was an individual that had some 30 years in the waste management business in Winnipeg who I personally recruited.

**Mr. Kozak:** Thank you Mr. Cooke. That then was subsequent to his candidacy in the provincial election in 1988?

**Mr. Cooke:** Yes, it was. It was kind of interesting. Bill is someone who was involved in the waste management business and, quite frankly, was a bit of a coup in finding. While we were discussing his employment, he informed me that he had been a candidate in the last election.

I want to answer this question very directly because I suspect the nature of the question coming up as Bill indicated up front that he was politically active and run for one of the Parties in the previous election. Quite independent of interrelationship with the corporation at which point we delayed the recruiting basically. As it turns out the Minister at the time was in no way aware of it. I went through the interesting exercise of asking the Minister at the time for permission to hire Mr. Omiucke, certainly there was some concern that might cause the Government some embarrassment.

Mr. Omiucke has joined the corporation absolutely and entirely on his own merit and is someone that I and our chairman both personally recruited.

**Mr. Kozak:** Thanks to Mr. Cooke. I certainly have no intention of disputing Mr. Omiucke's qualifications. In

fact, I can assure the committee based on my acquaintance with him from the time when he was the Conservative candidate who challenged my election, that he is an individual who is indeed interested in serving the province.

However, I do suggest that all agencies and Crown corporations affiliated with the province not mislabel photographs or other materials in their annual reports because it can later come back to haunt them.

**Mr. Cummings:** Could I just . . . no, just one line.

**Mr. Chairman:** If it is very brief. I am actually about to recognize—go ahead, Mr. Minister.

**Mr. Cummings:** I was just going to indicate that when I was in Opposition, I attended a meeting at McCreary one evening, and I am grateful that they did not take my picture or I would have been in a terrible position.

**Mr. Chairman:** Thank you Mr. Minister. We seem to be in a very good mood. Is it the will of the committee to pass this?

**An Honourable Member:** No.

**Mr. Chairman:** Not yet, okay. It is almost 12:30.

**Mr. Elijah Harper (Rupertsland):** To the Minister, The Manitoba Dangerous Goods Handling and Transportation Act and also the draft general guidelines, would these guidelines in the Act apply to the Indian bands within the Province of Manitoba? Reserves are the exclusive jurisdiction of the federal Government and in the absence of any federal legislation, Section 88 of The Indian Act, usually laws of general application apply to the Indian bands. We have a lot of Indian reserves scattered all over northern Manitoba and we have a lot of facilities development going on. I am sure that we have some hazardous wastes laying around which are subject to exposure to children and the general public. Can the Minister answer that?

**Mr. Cummings:** Mr. Chairman, I am not cognizant of the niceties of federal-provincial relationships on jurisdictional matters regarding reserves. I fully expect however that the residents of the reserves would want to be handling anything that was deemed to be hazardous to the environment in a manner that would stop it from being harmful to the environment because that has always been one of the primary concerns that they have had.

\* (1230)

I think Mr. Cooke could probably add technically what the application of it might be, bearing in mind that it is hypothetical at this point because it is not in place. We are talking about the future application of it and perhaps Mr. Cooke can enlighten you. I honestly cannot give you a complete answer.

**Mr. Cooke:** The Transportation of Dangerous Goods Act, I think the authority for that is assigned to the province on all provincial highways and if a provincial

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trunk highway was crossing federal lands the provincial authority would apply. I might also add that the provincial regulations and Act are taken directly from the overall federal regulations in any event, so they are essentially the same.

The jurisdiction of hazardous waste management on federal lands does lie with the federal Government. From our corporation's point of view we provide services to everyone and have provided services to bands, just as we would municipalities. If we are operating, say, for example, a case of packaging PCB contaminated material, I think when we are physically doing that on federally administered lands we are regulated by Environment Canada. As soon as we do it outside of federally regulated lands we are regulated by the province. So we work to both standards and would provide the services in either case.

**Mr. Chairman:** As the time is now 12:30 p.m., is it the will of the committee to carry on and try and pass this or did you want to—

**An Honourable Member:** Can you wrap up in five?

**An Honourable Member:** No, we cannot.

**Mr. Chairman:** Well, certainly—

**An Honourable Member:** Let us wrap it up if you have a few questions—

**An Honourable Member:** No, there are others who want to—

**Mr. Chairman:** Well, it is the will of the committee. We are in no rush, there is no problem.

**Mr. Plohman:** Well, I just suggest that we rise and we come back another day. There are a number of other issues that MLAs want to raise with the committee.

**Mr. Kozak:** Mr. Chairman, after earlier remarks that I made this morning, perhaps it is appropriate for me to suggest that the official Opposition would not want to stand in the way of the third Party if they do have further questions.

**Mr. Rose:** It is my understanding that we in the Opposition do not have any further questions, but as my colleague has said, we are not going to invoke a semi-closure -(interjection)- and we will return another day.

**Mr. Chairman:** The Chair had no intention of cutting off Mr. Harper. We wanted to wait till you were done, but we just wanted to get a feeling if you wanted to wrap it up today or if you wanted to carry on and meet again.

**An Honourable Member:** Committee rise.

**Mr. Chairman:** Okay, committee rise.

**COMMITTEE ROSE AT:** 12:34 p.m.