

RECEIVED APR 16 1984

THE HONOURABLE ANDREW S. BRANDT
MINISTER OF THE ENVIRONMENT

A STATEMENT TO THE LEGISLATURE

ON

S-AREA INTERVENTION AND NIAGARA RIVER CLEANUP

APRIL 10, 1984

1. The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation

$$f(x) = \int_0^x \frac{1}{1+t^2} dt.$$

It is shown that the function $f(x)$ is increasing and concave down.

2. The second part of the paper is devoted to the study of the function $g(x)$ defined by the equation

$$g(x) = \int_0^x \frac{1}{1+t^2} dt.$$

It is shown that the function $g(x)$ is increasing and concave down.

3. The third part of the paper is devoted to the study of the function $h(x)$ defined by the equation

$$h(x) = \int_0^x \frac{1}{1+t^2} dt.$$

It is shown that the function $h(x)$ is increasing and concave down.

4. The fourth part of the paper is devoted to the study of the function $i(x)$ defined by the equation

$$i(x) = \int_0^x \frac{1}{1+t^2} dt.$$

It is shown that the function $i(x)$ is increasing and concave down.

5. The fifth part of the paper is devoted to the study of the function $j(x)$ defined by the equation

$$j(x) = \int_0^x \frac{1}{1+t^2} dt.$$

It is shown that the function $j(x)$ is increasing and concave down.

6. The sixth part of the paper is devoted to the study of the function $k(x)$ defined by the equation

$$k(x) = \int_0^x \frac{1}{1+t^2} dt.$$

It is shown that the function $k(x)$ is increasing and concave down.

7. The seventh part of the paper is devoted to the study of the function $l(x)$ defined by the equation

$$l(x) = \int_0^x \frac{1}{1+t^2} dt.$$

It is shown that the function $l(x)$ is increasing and concave down.

8. The eighth part of the paper is devoted to the study of the function $m(x)$ defined by the equation

$$m(x) = \int_0^x \frac{1}{1+t^2} dt.$$

It is shown that the function $m(x)$ is increasing and concave down.

9. The ninth part of the paper is devoted to the study of the function $n(x)$ defined by the equation

$$n(x) = \int_0^x \frac{1}{1+t^2} dt.$$

It is shown that the function $n(x)$ is increasing and concave down.

10. The tenth part of the paper is devoted to the study of the function $o(x)$ defined by the equation

$$o(x) = \int_0^x \frac{1}{1+t^2} dt.$$

It is shown that the function $o(x)$ is increasing and concave down.

MR. SPEAKER:

YESTERDAY LEGAL REPRESENTATIVES FOR MY
MINISTRY FILED DOCUMENTS WITH JUDGE JOHN T. CURTIN
OF THE FEDERAL COURT OF WESTERN NEW YORK IN
OPPOSITION TO THE PROPOSED AGREEMENT ON THE CLEANUP
OF THE OCCIDENTAL CHEMICAL CORPORATION'S S-AREA
SITE IN NIAGARA FALLS.

YOU MAY RECALL THAT DETAILS OF THIS AGREEMENT
BETWEEN THE CHEMICAL COMPANY AND THE U.S.
ENVIRONMENTAL PROTECTION AGENCY WERE RELEASED IN
MID-JANUARY, ABOUT A MONTH BEFORE ONTARIO WON
INTERVENOR STATUS IN THE COURT PROCEEDINGS.

I ANNOUNCED AT THE TIME THAT MY STAFF WOULD
REVIEW THE VARIOUS PROPOSALS IN THE COURT
SETTLEMENT AND THAT WE WOULD MAKE OUR VIEWS KNOWN
TO JUDGE CURTIN.

THAT REVIEW IS COMPLETE. WE ARE DEFINITELY
NOT SATISFIED THAT THE PROPOSED CLEANUP MEASURES
ARE ADEQUATE AND WE ARE EXPRESSING THAT
DISSATISFACTION IN THE STRONGEST POSSIBLE TERMS TO
JUDGE CURTIN.

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THE COURT HAS SCHEDULED A HEARING STARTING
APRIL 30 TO ALLOW ALL PARTIES INVOLVED TO STATE
THEIR VIEWS BEFORE ANY FINAL DECISION IS MADE ON
RATIFICATION OF THE PROPOSED SETTLEMENT. I CAN
ASSURE YOU THAT ONTARIO'S CONCERNS WILL BE
EXPRESSED IN DETAIL IN THE COURTROOM.

THE BASIS OF THE SETTLEMENT IS A PLAN TO
CONTAIN THE WASTES IN THE S-AREA SITE. [WE DO NOT
ACCEPT THAT CONTAINMENT FOR SEVERAL DECADES,
POSSIBLY EVEN HUNDREDS OF YEARS, PROVIDES ADEQUATE
PROTECTION FOR THE NIAGARA RIVER. WE SHALL
THEREFORE REQUEST PHYSICAL REMOVAL OF THE S-AREA
CONTAMINANTS.] IN A CASE LIKE THIS, WHERE A
DRINKING WATER SOURCE FOR SO MANY PEOPLE MAY BE AT
RISK, (A PERMANENT SOLUTION IS NEEDED.) WE CANNOT
SIMPLY PASS OUR PROBLEM ON TO THE NEXT
GENERATION.

{ UNFORTUNATELY, THE PROPOSED AGREEMENT DOES NOT
PROVIDE ADEQUATE REMEDIES FOR, OR PROTECTION
AGAINST, THE EFFECTS OF THE CONTAMINANTS MIGRATING
OFF-SITE. }

FOR THE AREA BETWEEN THE S-AREA SITE AND THE NIAGARA RIVER, WE SHALL INSIST ON A REMEDIAL PROGRAM BEING DEVELOPED QUICKLY TO DEAL WITH CONTAMINANTS THAT ARE KNOWN TO HAVE LEFT THE SITE.

CONTAMINANTS FROM THE WASTE SITE ARE ALSO BELIEVED TO BE IN THE BEDROCK UNDER THE NIAGARA RIVER. OCCIDENTAL CHEMICAL CORPORATION SHOULD THEREFORE BE REQUIRED TO STUDY THE RIVER BOTTOM TO IDENTIFY AREAS WHICH COULD PERMIT THE CONTAMINANTS IN THE BEDROCK TO RISE AND ENTER THE RIVER. THE COMPANY SHOULD ALSO CARRY OUT CONTAMINANT SURVEYS IN THE BEDROCK ON THE ONTARIO SIDE OF THE RIVER TO IDENTIFY ANY CONTAMINANT MIGRATION THAT MAY HAVE REACHED CANADIAN TERRITORY.

THERE MUST BE LIABILITY IMPOSED ON THE COMPANY NOW FOR ANY OFF-SITE EFFECTS OF THE CONTAMINANTS. IT IS ALSO IMPERATIVE THAT STRICT PROVISIONS BE IMPOSED REQUIRING REMEDIAL TREATMENT OF CONTAMINANTS WHERE ANY HAZARD TO HEALTH OR THE ENVIRONMENT IS IDENTIFIED.

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MR. SPEAKER, AS IS EVIDENCED BY OUR ACTIONS
YESTERDAY, ONTARIO IS COMMITTED TO PROTECTING THE
GREAT LAKES FROM CHEMICAL CONTAMINATION FROM THE
S-AREA. OUR COMMITMENT ALSO EXTENDS TO THE OTHER
NIAGARA RIVER WASTE SITES AND INDEED TO ANY OTHER
IDENTIFIABLE SOURCE OF TOXIC CONTAMINANTS.



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