

Applications for Standing at the Walkerton Inquiry

1. CAPE/Council of Canadians/GLU

- seek full standing for Part II
- seek standing for issues of interest and special standing (see Kristjanson letter of Aug. 18) for Part I

A. Lawyer

- SLDF

B. Issues

1. systematic problems with drinking water quality and regulation in Ontario, especially with respect to:
 - downloading and privatization
 - lack of an integrated approach to water quality management (due to a division of responsibility between different levels of government)
 - enforcement
2. primary prevention of water contamination through education, industry regulation, agriculture and land use planning, and through water protection and monitoring regimes
3. access to information re water quality

CAPE - to comment on papers 1, 3, 5 and to be involved in the production of papers 1, 5

Council - to comment on papers 4, 11

GLU - to comment on papers 4, 5, 6, 12

C. Funding

- expertise of members of coalition on a volunteer basis
- may need funding in future for experts - will apply for this when needed
- only need funding for lawyers, according to rates to be set by Commission (for Chapman, Christie and a half-time junior lawyer)
- no dollar amounts given

D. Experts

- not identified

E. With respect to other applicants

- discuss how they've spoken with CELA re conflict of interest for K.Khatter
- they have an adverse interest with Environment Probe
- distinct from Sierra because they're focusing on agriculture
- no real explanation given to differentiate from OPHealth Assn

2. ALERT (Agricultural Livestock Expansion Response Team) - Sierra Club (and associates)

- seek standing for parts I and II

Associates and their interests:

P.R.O.T.E.C.T.

- 300 members
- farmers/business/residents
- expansion of intensive livestock industry in Ontario

C.A.R.E.S. (Citizens Actively Representing Environmental Security)

- Bruce County
- 1000 members (many farmers)
- pro-farming
- issues that threaten the environmental/social/economic fabric of the community
- intensity of livestock production and environmental impact

A.C.C.E.

- 600 members
- protection of environment, water and property investments

R.O.S.A. (Rural Ontario Stewardship Association)

- regulatory control of manure management

Perth South (Blanshard) Ratepayers

- 18 members
- formed in response to a proposed factory farm
- groundwater contamination

Rural Rights Alliance of Ontario

- 57 members
- against hog farms in Chatham
- want new by-laws re intensive farming
- agricultural run-off from livestock

Area of Excellence

- 300 members
- effects of intensive agriculture on a tourist area

A. Lawyer

- Cohen Highley

B. Issues

Part I

- technical and regulatory deficiencies with respect to manure management that may have led to the Walkerton crisis
- environmental risk posed by intensive farms/inappropriate manure management to aquifer contamination and contamination of farm and municipal water supplies

-inadequacy of present technology and regulatory controls of manure management

Part II

-development of appropriate technology and regulatory controls to ensure safety of surface and ground water resources

-provincial/municipal participation in manure management regulation and enforcement

C. Funding

Legal costs

Part I - \$133,605.55

Part II - \$72,385.50

Consultants' costs

Part I - \$175,900.00

Part II - \$86,150.00

D. Experts (not named, with the exception of i))

i) a scientific coordinator (GlobalTox International Consultants Inc.)

-to coordinate work of all specialist consultants

ii) hydrogeologist

-potential for impacts of intensive farming and manure management on groundwater, surface water and soil

iii) manure management expert

-state of the art for manure management

iv) municipal planner

-how intensive farming impacts on the growth and development of a community

v) municipal engineer

-engineering municipal drinking water and sewage systems in the context of intensive farming applications

vi) toxicologist

-chemical contamination of drinking water

-types of chemicals used in intensive livestock farming

vii) epidemiologist

-human health impacts of exposure to chemicals and pathogens associated with intensive farming

viii) microbiologist

-biological pathogens associated with intensive farming

3. Energy Probe Research Foundation

-seek standing for Parts I and II

A. Lawyer

-undetermined

B. Issues

Part I

-operation, management, financing, regulation of Walkerton water system

-won't present evidence

-want to cross-examine other witnesses

(purpose of participation in Part I is to be able to compare information re water management in Walkerton to other water management approaches, in order to be able to identify solutions)

Part II

-alternative methods of operating, managing, financing and regulating water systems

-compare/contrast to regulation of gas and electricity sectors in Ontario

-key issues - how can we ensure that privatization benefits taxpayers and the environment while protecting consumers

-will prepare 2 studies:

i) by E. Brubaker, re privatization and regulation of water utilities (Canada/U.S./Europe)

ii) by T. Adams, re regulatory issues - does water utility privatization demand new forms of environmental or economic regulation? What should they be?

-would be central participants for papers 4, 11, 14, 15

-would be limited participants for papers 1, 2, 3, 6, 8, 9

C. Funding

-mostly unknown

-lawyer fees

-E. Brubaker - \$25,000

-T. Adams - \$22,500

-assistant researcher - \$14,4000

D. Experts

-in-house

4. OPSEU

-seek standing for Parts I and II

A. Lawyer

-Ian Roland and Donald Eady from Gowlings

-Timothy Hadwen, in-house

B. Issues

i) As representatives of public service employees, generally:

- management, restructuring, downsizing, privatization and deregulation of provincial government and its services
- legislation, regulations, guidelines, objectives, policies and procedures governing water delivery and monitoring systems in Ontario, and the workplace reality of this framework, including whether adequate resources are given for assigned tasks
- informal management policies that are contrary to formal policies
- impacts on water safety caused by the politicization of issues, poor communications, and poor morale
- protection of whistle-blowers
- also have members that work in agriculture - OMAFRA, Ontario Dairy Herd Improvement Col., Beef Improvement Ontario Inc.

ii) As representatives of individual employees:

- protect reputations of employees from possible adverse findings or criticisms

iii) As representatives of public sector employees in Walkerton (MOE, OCWA, Bruce Grey Owen Sound Health Unit - includes Walkerton Health Unit, other town workers such as in jails and hospitals):

- the crisis as it occurred in Walkerton workplaces including hospital and jail

C. Funding

- says nothing

D. Experts

i) experts on water privatization (in Ontario and internationally)

- to assess the experience of municipal downloading and privatization

ii) OPSEU members