

April 2008



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NEW KEITH NEIGHBOURHOOD BUS IN JUNE

EH helps north Hamilton residents move towards equitable transit service

The new north-south HSR route advocated by EH begins operation on June 23. Last month, the HSR invited EH staff and some residents from the neighbourhood to 'test drive' the route and help pick out locations for stops.

The Wentworth number 12 will follow a rectangular route south on Wentworth, west on Stinson, north on Victoria past the General Hospital, and east on Burlington Street back to Wentworth. It will provide 30 minute service to cover both morning and afternoon rush hours. The new line intersects with six major east-west routes – King 1, Barton 2, Cannon 3, Burlington 4, Delaware 5 and Beeline 10.

EH is developing an extensive

GETTING ACTION

Photo helps get overdue provincial response
(see story page 3)



promotional program for the new line to ensure that it secures sufficient ridership to be sustainable. Our thanks go out to the HSR and city councillors for agreeing to establish the route. Special thanks to the residents of the Keith neighbourhood who approached us with the request two years ago.

A 2006 EH door-to-door survey of 3200 North Hamilton homes produced the proof that a real

need and demand exist for the new service which will finally end a situation where some homes were more than a kilometre from the nearest HSR stop.

Join us on Saturday, June 28 at Mars Park (across from the former Robert Land School on Wentworth North) for a Keith community barbeque celebration of the new HSR service. And come by bus! We'll have prize draws for everyone with an HSR transfer or pass.

NEW FOOD MAP & MARKET

Hamilton Eat Local staff has been busy preparing the release of 2008's local food map. We are very excited to have increased the number of farms listed on the map to 65 farms and have included an "out of town" section for farms on the outskirts of Hamilton that approached us with interest in being included. This year's map will offer the same informative features but will have a new artistic layout adding to its aesthetic appeal.

The official launch of the map will be the weekend of May 9-10^h, coinciding with the grand opening of the Ottawa Street Farmers' Market's new location half a block east of Ottawa Street between Cannon and Britannia.

Hamilton Eat Local is still closely involved with the Ottawa Street Farmers' Market and is pleased to report that a part-time Market

Manager has been hired to assist with the promotion and development of the market, among many other duties. We are excited to watch the market thrive and succeed in its new location.

Please note – you don't have to wait until May to visit the market! Vendors are already at the new location every Friday and Saturday from 7:00 am to 3:00 pm.

Thanks to the generous sponsorship of Hamilton Economic Development, Hamilton Eat Local will be among the exhibitors at the Hamilton Food and Drink Fest taking place March 28th to 30th at the Hamilton Convention Centre. We will be promoting the farmers listed on our map and encouraging chefs and restaurant owners to embrace the delicious offerings from Hamilton farms in their menus. Check it out at: (www.foodanddrinkfest.com)

A PEEK AT PEAK OIL

The Peak Oil Road Show

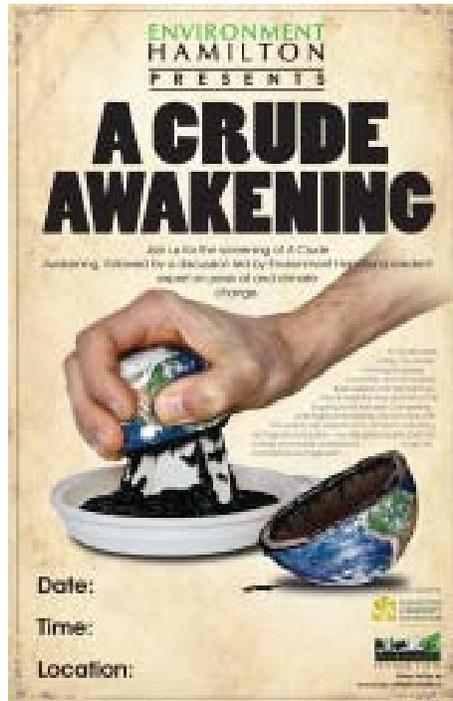
Any understanding of the climate change crisis without an understanding of peak oil (sometimes called the end of oil or the energy crisis) or vice versa is incomplete.

The obvious connection between the two is society's unrestrained reliance on fossil fuels. The less obvious connection is that peak oil has the potential to hasten the approach of runaway climate change.

As supplies of light, conventional oil dwindle, intensified demand and the promise of increased profit will entice fossil fuel producers to proceed apace, and with as little regard for their environmental impacts as exists now, with the consumption of the world's heavier and dirtier oils and dirtier grades of coal. Both peak oil and climate change put demands on communities to reinvent almost every aspect of life in industrial societies.

The peak oil crisis, however, differs from the climate change crisis in two ways. First, its effects will be felt much sooner than the worst impacts of climate change. Even worse, few people in the public have even heard of it let alone understand what it is or what its implications are for the future.

Peak oil is the subject of Environment Hamilton's Peak Oil Road Show, a series of presentations to local churches and secular organizations in 2008. Each presentation involves a brief



oral introduction, a 100-minute screening of the award winning documentary film *A Crude Awakening*, and a follow-up discussion. So far, thirteen presentations have been made in 2008 up to and including March 30. Another dozen are scheduled before the end of June, and the number is growing weekly.

If you are interested in developing a clearer understanding of the twin fossil fuel crises, consider attending one of the 7:00 p.m. presentations listed below presented by Richard Reble, who is also the author of this article.

Apr. 21, Faith Lutheran Church, 1907 King East, Hamilton;

Apr. 22, Mount Hamilton United Church, 31 Summit, Hamilton;

Apr. 23, Anglican Church of the Ascension, 64 Forest, Hamilton;

Apr. 25, Pioneer Memorial United Church, 1974 King East, Hamilton;

June 3, Trinity Presbyterian Church, 720 9th Ave., Hamilton.

TREES COUNT

The Dundas Valley Tree Keepers energetically continue to educate residents about trees. More than 60 people from across the city came out to our recent public event in March, and we expect a big crowd for our upcoming talk "Gypsy Moth Control for the Homeowner".

Our guest speaker, Gord Thede, will describe the pesticide-free techniques he and his neighbours used last summer to suppress Gypsy Moths which have been infesting our city and leaving defoliated trees in their wake. Gord will also be encouraging residents to water front and back yard trees in their community all through this summer to strengthen the resistance of our urban forest which has been badly weakened by drought over the past few years.

Our group is planning several future events, including a public presentation in May on the results of last summer's Dundas Trees Count project: we now have the final report from the University of Toronto's Faculty of Forestry.

We're hoping to conduct another tree inventory this summer. Would you like to bring a tree survey to your neighbourhood? We will train you how to identify trees and collect more than 30 pieces of data on each one in your community.

This is a wonderful way for neighbours of all ages to meet each other, learn about trees, and spend the summer outdoors. You will never look at a tree the same way again!

We're looking for enthusiasm – and sponsors! Please contact me for details - Julia Kollek jkollek@gmail.com or 905-627-5410.

ENERGY-EFFICIENT

EH continues to offer tours of Dave Braden's super energy-efficient home. Call (905) 549-0900 to register for one.

EH CAMPAIGNS AGAINST BLACK FALLOUT

Concerted campaign and continuing nasty meltshop emissions finally getting a response from Ministry of the Environment on steel mill pollution

Six months past the legislated deadline, the Ministry of the Environment finally released a decision regarding the Environmental Bill of Rights application for review for ArcelorMittal Dofasco's KOBM meltshop submitted by Environment Hamilton and residents from the MacAnulty Neighbourhood.

The response appears to have been prompted by a nasty meltshop emission photographed by a Beach Community resident and published in full-colour in the *Hamilton Spectator*, alongside a news article with the headline "Dofasco plume raises concern".

Unfortunately, MOE determined that a review was not warranted, pointing to the company's plans to 'optimize' the pollution controls at the meltshop and its plans to apply for a comprehensive provincial certificate of approval for all of the air emissions from the plant.

Following on the heels of the release of MOE's decision, Environment Hamilton held a press conference at its office, with the KOBM meltshop within view. Staff members Brenda Johnson and Lynda Lukasik along with MacAnulty Neighbourhood resident Lorna Moreau and Beach resident Jim Howlett, spoke with local media about their great frustration over the on-going emission problems from the steel giant and other local industries and lack of MOE enforcement action against these chronic emitters.

While MOE points to the company's plans to continue to



optimize the pollution controls on the KOBM meltshop as part of the justification for not undertaking a review, EH and community members pointed out that 'optimization' was tried and abandoned by the former Dofasco.

By 2004, the company determined there was a need to replace the secondary emissions control system at the plant by the end of 2007. EH and residents now fear the emissions problems at the plant will continue for many more years.

If you have a camera and are able to be out and about through the day, get involved with our stack watching efforts by calling 905-549-0900

Recent upsets appear to confirm this fear. Further, the fact that ArcelorMittal, the new plant owner, has opted not to make a significant improvement that Dofasco was committed to make has generated fears in the community that the new owner is

not as committed to ensuring that environmental impacts from the plant are addressed appropriately.

MOE also justified denying the application for review on the grounds that the company is planning to apply for a comprehensive provincial certificate of approval (CofA) for air emissions.

Traditionally, MOE has issued specific CofAs for specific parts of the plant. Industries

can now opt to apply for comprehensive CofAs – one certificate that encompasses all discharges to air from the plant, including fugitive (non-stack) emissions.

These certificates provide companies with greater operational flexibility in that they don't require a company to go to MOE to have every operational change approved. When first introduced, comprehensive CofAs were only granted if a company was in total compliance with provincial air regulations. Now they can be granted without compliance.

EH and residents argue that the company's plans to pursue a comprehensive CofA should not be used as justification for denying the Bill of Rights request to tighten up the existing CofAs for the meltshop. Further, the process for securing the new CofA will likely lead to delays in improvements as the company has indicated that it will not submit its comprehensive CofA

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STEEL MILL POLLUTION

from previous page

application for approval until later this year.

Meanwhile, EH staff and residents continue to watch for visible emission problems from the plant and to report these problems to the MOE. Efforts are also underway to push for MOE to establish a formal forum where community stakeholders, MOE representatives and company representatives can meet regularly to discuss problems and to learn about both company and MOE action to see problems resolved.

If you have a camera and are able to be out and about through the day, consider getting involved with our stack watching efforts. Give us a call at the EH office at 905-549-0900 and we'll get you started as a stack watcher.

Key dates regarding KOBM meltshop secondary emission control system problems:

- As early as 1999, Dofasco identified the secondary emission control system at the KOBM meltshop as needing attention, identifying this part of the plant as the source of metal emissions (including chromium, copper, lead, manganese, nickel and zinc and their compounds)
- In 2002, the company identifies the need to 'optimize' the secondary emission control system at the meltshop.
- By 2004, Dofasco commits to the installation of a new KOBM secondary emissions control at the end of 2007
- In February 2008, EH and residents are informed that their application for review under the Environmental Bill of Rights has been turned down by MOE. The response reveals that ArcelorMittal has decided it will not install a new secondary emissions control system as Dofasco had promised. Instead, the company will work to optimize the secondary emission control system.

A GREENER LAWN WITH NO-PHOSPHATE FERTILIZER!

by Murray Charlton

While it looks like pesticides for lawn use will be restricted by municipal and provincial governments there is another side of lawn care homeowners and municipalities should consider.

Typical lawn fertilizer contains phosphate. On one hand we pay dearly to remove phosphate from sewage plants in order to clean up Hamilton Harbour and on the other hand we spread lawn fertilizer around that contains phosphate.

Some of the fertilizer washes off lawns, driveways, sidewalks, and roads and ends up directly in the road drains.

Those drains take the phosphorus untreated to the nearest stream or river and then into Hamilton Harbour or, in the lower part of the City, to the combined sewer system where we pay even more to remove it.

Homeowners many kilometres away from the water still affect its quality by the materials that wash off their properties!

Homeowners many kilometres away from the water still affect its quality by the materials that wash off their properties!

Some communities have hundreds of road drains right in the banks of Lake Ontario. The phosphorus can stimulate deleterious algae growth in the lake and harbour.

Of course, reducing nuisance algae is a goal of the Hamilton Harbour Remedial Action Plan.

The phosphate in the lawn fertilizers doesn't seem to be really

needed. Many homeowners mulch their lawns and the phosphate simply re-cycles there from the clippings.

The nitrogen in the lawn is different because the soil organisms change it into nitrogen gas which disappears to the air. Thus, it makes more sense to replace the nitrogen for those who want a luxurious lawn.

Nitrogen application needs to be done carefully because nitrogen can get into groundwater drinking water wells.

The soil can also become saturated with phosphate with unneeded yearly applications – this makes it more likely the soil will lose the phosphate to rain runoff.

The good news is that no government ban or other heavy handed tactic is needed if consumers demand the right products. Help is at hand for those who want to fertilize without damaging the health of local waterways!

Sure-Gro has announced that "Phosphate-Free C-I-L® Golfgreen™ Lawn Fertilizer" will be available at Canadian Tire stores this season. While a different starter fertilizer may be needed for a new lawn only, the Phosphate-Free fertilizer is needed to maintain good lawn growth.

While many environmentalists would decry the use of water and energy needed for a lawn there are a large number of people who will not do without a thick lawn.

For them, Sure-Gro and Canadian Tire provide the solution for a greener lawn. Let's hope more manufacturers and retailers follow their example!

BEATING THE BLOB

EH and Winona residents block subdivision at the toe of the Niagara Escarpment

Environment Hamilton is proud to have been part of a determined fight by residents to successfully block development of sensitive lands at the foot of the escarpment in Winona, despite serious mis-steps by city planners.

The infamous Winona Blob was a pimple shaped boundary line sketch that dates back more than two decades. It was replaced by a straight lines at an Ontario Municipal Board hearing in 1994, but for some still unclear reason did not finally disappear from city maps until a determined fight by Winona residents and EH staff ended last year in a consolidated hearing of the OMB and the province's Environmental Review Tribunal.

EH's amazing Brenda Johnson led Winona Road residents in forming Citizens Assessing Development on the Niagara Escarpment (CADONE), and then represented them at a four-week hearing - filling the roles of both planner and lawyer.

In alliance with the Niagara Escarpment Commission, Brenda and CADONE successfully defeated legal heavyweights from De Santis Development and once again confirmed that the blob has no official standing. As a result, a planned subdivision on a flood plain east of Winona Road will never be built.

The hearing ended a long seven year fight for the residents who had repeatedly presented their concerns to the city with "luke warm" results.

While City Council was not in support of any development in this area in 2001, things changed in March 2004 when council accepted a city planner's view that the Blob still existed. Of note, this was the



The pimple-shaped boundary was replaced in 1994 by the appropriate straight red lines

same city planner that recommended that development should be allowed on the Turtle Ponds property.

Letters pointing out the correct boundaries were sent to the city by both the NEC and the Ministry of Municipal Affairs and Housing (MMAH) but the majority of councillors chose to ignore those letters and the pleas from several residents who spoke at that 2004 meeting.

Their decision emboldened the developer to challenge the escarpment commission classification of his lands as protected and resulted in last year's lengthy hearing.

Since the residents won their case, the question has become should the city compensate them for their costs

At the instigation of Brad Clark, the new council reversed the city's position in early 2007, but the hearing proceeded with the planner still defending the blob boundary line.

This has been a very frustrating

process for the residents who feel that the City of Hamilton should have taken a clear and consistent position from the beginning. The residents repeatedly asked city officials to follow both the MMAH and the NEC's opinion that the blob was not an appropriate boundary.

Instead council followed their planner's position for too long, resulting in an unnecessary, lengthy and costly hearing for both the residents and for provincial taxpayers.

Residents are often told that City Council generally follows their planner's advice because the planners are the experts. There is also the underlying fear that any application could proceed to the OMB and force the city to hire outside planners if it hasn't agreed with its own.

This process gives the sense of hopelessness that "it is a done deal" for anyone who opposes development in their neighbourhoods. However the residents of Winona kyboshed that theory when the hearing board agreed with the residents and denied the application for development.

Residents are also given the message that they may be sued for costs if the process ends up at the OMB level and the OMB sides with the developer. However since the residents won their case, the question has become "should the city compensate CADONE for their costs"?

If the residents are prepared to fight a development with the underlying fear of losing their assets, shouldn't the City of Hamilton also take that risk and be prepared to cover the costs borne by the residents?

MOE APPROVES MASSIVE SEWAGE INCINERATOR

Environment Hamilton received some not-so-welcome news in late February. Our request that the Liberty Energy sewage sludge gasification plant undergo a full environmental assessment was denied by the Ministry of the Environment.

Had the Ministry granted our request, the company would have been required to consider alternative methods for dealing with sewage sludge and alternative locations for a proposed facility.

We believe MOE's justifications for this decision are cause for great concern

While the denial of our request came as no great surprise (we reported in our December 2007 newsletter that MOE has granted only one such request in the last 20 years), we believe MOE's justifications for this decision are cause for great concern.

Environment Hamilton's request for a thorough assessment focused on several key concerns:

■ Increased loadings of toxic contaminants to Hamilton's air from the proposed Liberty Energy plant:

We argued that Hamilton already struggles with a polluted airshed and the addition of more emissions, including hazardous chemicals like dioxins, was problematic.

Further, we argued that the location of the plant in Hamilton raises concerns about environmental justice. A full environmental assessment would at least consider alternative locations and evaluate which is most suitable.

MOE responded that the current

air regulation "... does not require that cumulative impacts be considered in the assessment of predicted air impacts".

■ Lack of a comprehensive provincial strategy for the management of sewage sludge:

We argued that an approval of this facility would set the course

for sewage sludge management in southern Ontario at a point in time when the province does not have a comprehensive policy for sludge management.

We said that a full environmental assessment would at least require the company to compare
continued on next page

Key Events Along the Way....

- **2001** – The Harris-Eves government's Regulation 116, Electricity Projects), is passed, subjecting both public and private electricity projects to the provincial Environmental Assessment Act. The regulation excludes sewage sludge from the definition of municipal waste, eliminating the requirement for energy-generating sewage sludge incinerators to undergo a full environmental assessment and instead requiring a less rigorous proponent-driven environmental screening process.
- **2004** – The McGuinty Government announces the first Request for Proposals for "clean power sources" by "...opening the door to a significant increase in the amount of clean power sources in Ontario - such as wind, solar, water, biomass and landfill gas". Included in the Liberal's list of clean power sources is the combustion of sewage sludge.
- **2005** – Liberty Energy comes to town, drawn by the Liberal government's request for proposals for clean, renewable energy projects.
- **End of 2005/ Start of 2006** – Liberty completes an environmental screening under Regulation 116. Environment Hamilton, the city, and others call for MOE to require the project to undergo a full individual environmental assessment.
- **Spring 2007** – Regulation 101 (Waste Projects) is passed, streamlining the approval of proposals for energy-generating incinerators burning municipal waste (including sewage sludge). Full environmental assessments are no longer required for these projects, which are now subject to a proponent-driven environmental screening process.
- **Summer 2007** – MOE reclassifies the Liberty proposal as a waste project, aborting the assessment underway under Regulation 116 and requiring a restart of the environmental assessment under Regulation 101. The streamlining of incineration approvals introduced by this regulation means the Liberty Energy proposal is again required to only undergo a self-driven environmental screening process.
- **December 2007** – Environment Hamilton and the City of Hamilton request that MOE require the proposed Liberty Energy plant undergo a full environmental assessment.
- **February 2008** – MOE denies the requests from EH and the city for a full environmental assessment.

**SLUDGE INCINERATOR
from previous page**

its proposal to other sludge management options to determine whether it is the best option.

MOE responded that "...the use of sewage sludge for electricity generation through an energy-from-waste facility is considered to be a suitable long-term solution for biomass management and has been determined by the Government of Ontario as a renewable form of energy production".

■ Lack of demonstrated effectiveness of the proposed gasification technology for a plant of this size:

We pointed out that concerns have been raised about the viability of gasification at such a large scale. The Liberty Energy plant is huge, processing over 500,000 tonnes of material a year (more than double the size of the old SWARU incinerator).

MOE responded that the environmental screening process "...does not require proponents to assess the viability of a proposal by presenting empirical evidence from other similar projects".

Meanwhile, the Hamilton District Office of the MOE is now searching for a similar facility, if it exists, in order to prepare itself for the task of effectively regulating the Liberty plant. municipalities

So, there you have it. Our community will now be the host, willing or not, to a huge facility

that will incinerate massive amounts of sewage sludge, all of which will be trucked in from municipalities outside of Hamilton.

We believe we raised substantial concerns with the MOE and the response back confirms to us that the Province believes sludge incineration is a clean, renewable form of energy generation.

Further, MOE has confirmed that it does not require a proponent to demonstrate the viability of a proposed technology before it approves a new facility – we are officially guinea pigs in this endeavour.

Finally, MOE has confirmed that its approach to air pollution regulation fails us miserably in that it does not consider the cumulative impacts of contaminants in

our airshed.

Had MOE granted our request for a full environmental assessment, the public would have had an opportunity to explore these significant issues and others as part of a process not driven by the project proponent. But a fair process does not appear to be an opportunity that is available to us.

The history of the province's renewable energy initiatives appear to suggest that the fix was in long ago where the incineration of sewage sludge is concerned .

Environment Hamilton believes this decision has inflicted an environmental injustice on our community. We are preparing a formal response to MOE, outlining our great concern about the response we have received.



Name: _____

Address: _____

Telephone#: _____ Email: _____

Annual membership \$25.00

Student/Unwaged \$15.00

Membership fee: _____

Donation: _____

TOTAL enclosed: _____

____ I would like to volunteer

Mail to: Environment Hamilton
1130 Barton Street East, Suite 207, Hamilton, ONT L8H 7P9
Please make cheques payable to Environment Hamilton

Website www.environmenthamilton.org

Email contactus@environmenthamilton.org Phone (905) 549-0900

VEHICLE LOG

Barbara Hale is the winner of two VIA tickets to Quebec City. She was among 50 people who vol-unteered to record their car use for one month to assist EH in determining ways to help people reduce vehicle use.



DISCOUNT HSR RIDES FOR FAMILIES

Environment Hamilton has created a project that provides an affordable family fare adventure using the HSR. It is available to all Hamiltonians as well as the tourists that visit our city.

The HSR currently sells day passes for \$8.00 that allow all-day transit for two adults and four children or one adult and five kids – but hardly anyone knows about these passes. That's about to change.

Our project takes this great deal and makes it better. Day pass users will be eligible for discounts at over 60 Hamilton locations, just by presenting their day pass stamped for that day. Discount locations at the harbour alone include the Waterfront Trolley, the Hamiltonian tour boat, Williams Coffee House, Scoops ice cream, the HMCS Haida, and the Marine Discovery Centre.

Or you can take the family on the bus for savings at the YMCA, YWCA, the Canadian Football Hall of Fame, all Hamilton Civic Museums, both the Hamilton Art Gallery and the McMaster Museum of Art, the Workers' Arts & Heritage Centre, Lakeland Pool, Confederation Park and any city recreation centre with a pool or an ice rink.

Most discounts are "buy one, get one free", and we expect to add more destinations as the project develops.

Both Tourism Hamilton and the Sheraton Hotel have expressed an interest in this project. Tourism Hamilton has requested that our staff provide an in-service for their staff at their five seasonal locations as well as the airport.

EH volunteers are developing a selection of family outings organized by time required and total cost of each trip. Many of the



trips that have been developed are theme based and most are under \$25 for the whole family. We're also mapping trips that cost no more than the day pass itself.

The project is being partly funded by a small city grant, and lots of in-kind support from the HSR and the discount locations. We hope to announce major project funding shortly.

PEAK OUT? OUR ENERGY USE

The March 29 Earth Hour focused attention on global climate change and our use of energy, but the one hour dimming was largely symbolic. So what's really at stake? You can find out by coming to Peak Out? Our Energy Challenge, an evening event on April 29th at the Holy Trinity Anglican Church, 120 Fennell St East in Hamilton. Environment Hamilton is co-hosting the event, where community environmental groups, organizations, eco-businesses, eco-teams and others will have tables set up and the general public is invited to learn about the energy crisis we face and some sustainable energy alternatives. The highlight of the evening will be the screening of *A Crude Awakening* award winning film. Events start at 6.30 to 9pm. But if you can't make it, never fear! Check out the scheduling on page 2 this newsletter for the film at other locations or visit hamiltonclimatechallenge.blogspot.com

ENVIRONMENTAL ADVOCACY FUND

All membership fees and donations to EH are used exclusively for our environmental advocacy work. Basic operational costs of the organization such as our office, phones, insurance, accounting, etc. are funded solely from administrative fees associated with funded projects, leaving our member contributions dedicated to the kind of outspoken activity that rarely is supported by governments or foundations.

Environment Hamilton takes its role as a local advocacy group very seriously – so much so, that we are willing to forego the benefits of charitable status so that we can take a stance on political issues. We hope you'll decide to renew your membership or join us for the first time in 2008. We would like to count on your support.

VOLUNTEER WEDNESDAYS

Looking for something to do with your Wednesday nights? Attend one of Environment Hamilton's volunteer evenings, held every Wednesday beginning at 7pm at the Environment Hamilton office. Volunteers meet to complete a variety of tasks ranging from data entry and mailing to research and brainstorming. And, of course, there is plenty of socializing involved!

These nights don't require a large time commitment and are a great way to stay involved with EH. Please consider joining us!