

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
May 22, 1980

Evening Session

COMMITTEE OF THE WHOLE

Bill No. 45 — An Act to amend The Northern Saskatchewan Economic Development Act

Section 1

MR. L. W. BIRKBECK (Moosomin): — Mr. Chairman, I want to ask the minister a few questions with regard to this bill. He would be aware of course that we do not support the bill, not for the provisions of the bill with respect to northern Saskatchewan residents, but primarily for the way it's being done. I suppose that's going to be a continual, ongoing basis of opposition to a lot of government bills. It's not so much the intent of the bill as it is the manner in which the objective is being achieved.

It makes it very difficult for the members of the opposition in the sense that we agree, in the majority of the bills, with the intent and the general objectives, the principle (if you like) of the bill, yet we are so opposed to the manner in which you set out to achieve that. It becomes a very difficult proposition. We are sometimes forced into the position of having to vote against a bill when we would like to think the intent was honorable and well meant and would like to vote for it at second reading.

I think, more specifically with regard to this particular bill, similarly to Bill 19, it seems to be giving you and the department of lot of unnecessary power. We're not just too certain or for what reason. If we take a look at the air transportation service, it certainly would mean an expansion in that particular area. I'm wondering is it just for the suppression of fire, or is it of broader range than that? I just wonder if you could reply to that particular area in terms of air transportation service and what that is going to entail with respect to this particular bill.

HON. J. A. HAMMERSMITH (Minister of Northern Saskatchewan): — Mr. Chairman, the air transportation service currently exists. It is, however, defined in the existing legislation as being part of a construction service. In addition to fire suppression, it provides planes for transportation of departmental personnel to various locations in the North, as well as transportation of personnel between primarily La Ronge and Regina. It includes, in addition to the six Drummond Tracker air tankers, three Canso water bombers, an Aztec, two Beach Barons and three Cessna 185s. The Cessnas, the Barons, the Trackers and the Cansos are used primarily for forest fire protection in the summer. The Aztec and Cheyenne are primarily for transportation of personnel; however, in the winter, the Barons and 185s are also used for transportation of personnel.

The idea in this section is to clearly set the air service aside, to take it out of the general classification of construction service for purposes of accounting, recording of expenditures and making the information more clearly available in terms of what the expenditures are in the air transportation service.

MR. BIRKBECK: — Maybe for good reason, but anyway there seems to be some confusion to me as to the differentiation between the air service and the construction service. Are they one and the same or is there a clearly distinct different function there?

What really is the situation with regard to the construction service and the air service?

I'm not too certain I understand the bill. After having read the bill I really don't grasp what the difference is between those two types of services. I wonder if you could fill me in and give me a little education in this regard.

MR. HAMMERSMITH: — Well, Mr. Chairman, as I said, the situation currently is that the air transportation component is included as part of the construction branch. This bill would take it out of there and that's all the amendment would do; it would clearly differentiate air transportation service from construction services. They are not differentiated now. They're all part of the same service.

MR. J. W. A. GARNER (Wilkie): — Mr. Minister, why does this have to be done? Why do you have to take this out of the air transportation and the construction? Why is this being done?

MR. HAMMERSMITH: — Basically, to provide a more clear and specific record of those expenditures which are related to air transportation so they are clearly distinct and apart from expenditures related to construction. It's probably more for the convenience of members of the Assembly in estimates or public accounts than for any other reason. It clearly sets it apart and it's not part of that overall body of expenditures currently known as construction expenditures.

MR. BIRKBECK: — Mr. Chairman, on that particular point, that's why I asked the question — what is the difference? — so we could clearly understand what the difference was and what the intent is. Now, having said that in your reply to the question, is the distinction between the construction service and the air service being made so you can account in a more concise way to the opposition when it relates to air transportation service with regard to departmental people? Has it been as a result of a pretty heavy line of questioning from time to time from the opposition in this particular regard?

MR. HAMMERSMITH: — Mr. Chairman, I don't think the heavy line of questioning is the only and exclusive reason. It is administratively more accurate to have the service set aside. But, yes, I think it does to some extent respond to questions by the opposition with relation to the air service. It sets it out clearly which presumably makes the questioning and identifying of areas for questioning somewhat easier.

MR. BIRKBECK: — Then, Mr. Minister, would it be reasonable to assume that next year we will be able to get concise figures as they relate to the number of departmental personnel who travelled via aircraft in the province of Saskatchewan, the number of hours those particular individuals were in the air and the actual use of the aircraft? As well would that include the number of hours of use for the total fleet of aircraft?

MR. HAMMERSMITH: — It may be easier for the opposition to decipher it. The hon. member may not be aware, but earlier this year, perhaps it was still in 1979, I provided to the member for Regina South Xerox copies of the sheets from all the logbooks from all the DNS aircraft. It was a fairly substantial package of material which is not all that easy to consolidate information from. So the information is available. I think it is easier now to make available the information which you request regarding this service.

MR. GARNER: — Mr. Minister, what additional cost to your department or saving will this bring about?

MR. HAMMERSMITH: — I think there won't be any additional cost nor is there likely to be any substantial saving. There will be the normal increases in cost of operating the aircraft which occur as costs go up. But setting the air service clearly aside will not mean any new costs.

MR. GARNER: — O.K. Mr. Minister, just so we have this clear then. If there are going to be no additional costs or savings to the department, then in other words you are telling me there will be no new employees hired along these lines?

MR. HAMMERSMITH: — There won't be any new employees as a result of this particular move, which is not to say that some time in the future there may not be an expansion of the service which would require new employees. But no new employees will be required as a result of this amendment.

MR. BIRKBECK: — Mr. Chairman, with this differentiation now between construction and strict air transportation service, will any of the aircraft under the construction service be utilized for the construction of the capital projects which will be going into uranium development in northern Saskatchewan?

MR. HAMMERSMITH: — No, the Department of Northern Saskatchewan will not have any aircraft in the construction branch. The construction branch, like all other branches when it uses the services of the aircraft in the air transportation service, will have billed against its budget the cost of the use of those aircraft.

MR. BIRKBECK: — Well, I see by the bill that you have made provisions for the air transportation of either provincial or federal government employees. Now how wide-ranging is that? Does that include all departments of both federal and provincial governments, which you would provide transportation for?

MR. HAMMERSMITH: — No, it depends on the situation. But there are many situations where, particularly with the federal Department of Regional Economic Expansion, the Canada Employment and Immigration Commission, Canada Mortgage and Housing Corporation (federal departments with which we are engaged in joint or cost shared activities), it is more convenient for both agencies involved (both the Department of Northern Saskatchewan and the federal agency involved) to use the services of an aircraft which we may have going to a particular community where we are engaged in a joint project. The same kind of thing would apply to activities in which we are engaged on a joint basis with other provincial departments.

MR. BIRKBECK: — O.K. You also make provisions under section 8, subsection 4, for the transportation as well to include Crown corporations. I would assume that is going to include all provincial Crown corporations. To what extent? I wonder if you could give us any concise examples of where it is going to be necessary to fly personnel of Crown corporations in the northern Saskatchewan region? In reply to my question with regard to the construction end of it concerning uranium development, there doesn't seem to be any coalition there, any interrelated agreements in that regard. What is the position now with reference to the bill under that particular section as it relates to Crown corporations? What activities are there going to be back and forth between Crown corporations of the province, of the Crown here, and Northern Saskatchewan?

MR. HAMMERSMITH: — Well, I can give the hon. member a couple of examples. One would be North Sask Electric which is a subsidiary of Sask Power. North Sask Electric is

responsible for the provision of electrical transmission lines and electrical power generation in Northern Saskatchewan. The Department of Northern Saskatchewan has one representative on the board of North Sask Electric, and there are occasions when officials and board members of North Sask Electric may be travelling with departmental personnel to a community in relation to the provision of electrical generating and transmission services.

Another example would be the Saskatchewan Mining Development Corporation which, as you know, is engaged in uranium exploration and development activities. The Department of Northern Saskatchewan has responsibility for manpower programs and for the training and securing of employment for northerners. Associated with that are negotiations and discussions with all mining companies which include the provincial Crown corporation, Saskatchewan Mining Development Corporation, and the federal Crown corporation, Eldorado.

Another example would be Sask Tel, which is responsible for providing the hardware and the transmission facilities for television and telephone services. The Department of Northern Saskatchewan will continue to have a significant interest in seeing that those services are provided. And it will be necessary from time to time for officials of the department to travel with officials of that Crown corporation. This gives us the ability to bill that corporation for the travel of their personnel.

MR. GARNER: — Mr. Minister, just a little further on in that same section, section 8, sub 4, 'or of any other province, or to any Crown corporation or person resident in the district'. Mr. Minister, I'm just curious; first of all would you define the word, district. Then, we'll dig into it a little deeper.

MR. HAMMERSMITH: — It refers to the northern administration district.

MR. GARNER: — Then this bill will allow you, upon the authorization of the minister . . . I hear the Minister of Sask Tel saying, it's a goofy question. We're talking about spending the taxpayers' dollars and I want to know if DNS is going to be flying people all over the North. It costs money. If there's a need, yes. In other words, Mr. Minister, it's your discretion — persons resident in the DNS district. Is that correct?

MR. HAMMERSMITH: — I can give the member a couple of examples as to why that's in there. There will be occasions when we are engaged in a project or a planning exercise or implementation of a program with (for example) the local community authority of Buffalo Narrows, or with the northern municipal council. It may be necessary for either elected members of those bodies or their staff to travel with officials of our department. This provision is there so that we have the authority to permit those persons to travel with us and thus not cost the taxpayers more, but less. Because the other example would be, if representatives of the local community authority in Buffalo Narrows were attending a meeting in La Ronge with officials of the department, if we didn't have this authority, we would presumably use our aircraft to transport our officials who were involved from Buffalo Narrows to La Ronge. The local community authority would have to charter another aircraft, and thus there would be greater costs. This would allow two people to fly together, rather than one person in each airplane, if the need arose.

MR. GARNER: — Mr. Minister, I think you can see my concern on behalf of the people of Saskatchewan. It's something worthwhile but a power that could be (and I'm not accusing you, I'm just saying) greatly abused and could be a great burden to the taxpayers of Saskatchewan. For a worthwhile project, fine and dandy, I can agree with

that as long as it is not abused. I want to give you advance notice right now that we will be checking into the logs after this comes into effect.

MR. HAMMERSMITH: — I say to the hon. member that I think that any inclination, either deliberately or inadvertently, toward abuse is open, and by the provisions of the other amendment even more open, to the members opposite for scrutiny and we fully expect that such scrutiny will continue. That's part of the job of all of us, to scrutinize very carefully.

MR. BIRKBECK: — Mr. Chairman, at the outset of my remarks on this bill, I expressed concern with what I felt was the unnecessary power gain of the department which goes hand in hand with what seems to be a government that's top-heavy in power and, from time to time, a little complacent and a little arrogant. The bill itself indicates that. When you take a look at the powers you have, just to quote the subsection:

(a) acquire by purchase, lease or otherwise any property, including plants and equipment and any products or materials required to implement, develop, maintain, operate and manage projects (now, that's bad enough, notwithstanding what it's relating to) relating to:

(i) value converting of non-renewable natural resource products or materials;

(ii) harvesting and producing of agricultural and forest related products and establishing and diversifying the processing and packaging thereof;

(iii) establishing and diversifying handicraft and related activities and acquiring materials for handicraft purposes;

(iv) other areas of economic opportunity that the minister considers advisable.

Well for goodness sakes, just like that, any other areas of economic opportunity that the minister considers advisable. I don't think I need to go any further on that particular concern. What you have here in this bill is a right, the power, to go up there and just purchase or lease or otherwise (and I don't know what that otherwise is all about). It says, purchase, lease or otherwise. Otherwise, I would assume is expropriate or take over any property, absolutely anything.

I guess an example would be, a fellow who has fly-in fishing lodge up there. And if you see it necessary to buy that or purchase it or lease it or expropriate it, you have the powers to do that under the legislation contained in this bill. And then you could (further down and I'll get into that later) turn around and dispose of that property. So you could be buying property or leasing it or whatever. You could work yourself into almost any kind of arrangement up there in northern Saskatchewan. And what's the bottom line on all this? The bottom line on all of this is, as I have said many times, that what we want for northern Saskatchewan residents is the opportunity for northern Saskatchewan residents to go ahead develop and capitalize on that tremendous potential that exists in northern Saskatchewan, not for the government to capitalize supposedly in the name of northern Saskatchewan residents. I know that's going to be the reply.

I really quite frankly believe that you have some understanding of what I'm saying. I think, in fact, that you, in many instances agree when I say that what we need to have is a balance up there. Granted, right now maybe they don't have the mechanism, maybe they don't have the capital or maybe they don't have the know-how. That's not questionable and the government may have to take the lead in many areas. But what I'm suggesting is that there should be a nice balance between government involvement in the development of the potential in northern Saskatchewan and the development that residents themselves, or groups of residents, may undertake.

When I look at those sections of this bill and see what possibilities are open to you, even establishing and diversifying handicraft and related activities, and acquiring materials for handicraft purposes. I don't know whether, if I let my imagination go, I could assume that maybe you're going to go into the processing and the manufacturing of fur coats. You could be processing raw furs in northern Saskatchewan and then going into the manufacturing of fur coats, which, Mr. Minister, wouldn't be a bad idea for northern Saskatchewan residents to do.

It makes very little sense that we here in northern Saskatchewan have a great potential in the fur market; we export our furs to Montreal and we import, I understand, about 85 per cent of our furs from Montreal back into Saskatchewan . . . (inaudible interjection) . . . We're doing this quite nicely between the minister and me and we don't need any interruptions.

That is again one of the bottom lines that I am concerned about. I see that as being one of the potentials in northern Saskatchewan, something that could be viable. And when I see these sections in the bill, I say, whatever hope there is for the development of the potential is going to be taken and swept away by that big hand of government. The local residents, the residents of northern Saskatchewan, are not going to have any opportunity whatsoever to reap the benefits of that potential except maybe to be employed by the government. That certainly isn't in keeping with my personal principles or philosophies or the philosophies of the opposition.

So, Mr. Chairman, at this point I think it would be incumbent upon the minister to make some explanations to the House as to what endeavours he intends to go into with these tremendous powers contained in these two sections I have read into the verbatim tonight.

MR. HAMMERSMITH: — Yes, I might say for the information of the hon. member that I have met with the executive and board of the Northern Saskatchewan Outfitters Association with particular regard to this amendment. I have also met with other groups and individual business people in the North.

I think that although the concerns expressed by the hon. member attempt to suggest the minister wants some legal means to take something away from somebody, I assure him and others this is certainly not the intent. The simple reason for the amendment is quite evident. Since the Department of Northern Saskatchewan is a department being part of the larger framework of the provincial government all operating legislation respecting the various departments, agencies, boards, commissions, corporations and local government must be parallel and generally consistent with each other.

It must also be realized that the Department of Northern Saskatchewan is very complex in having many responsibilities within its jurisdictional area, responsibilities which in the South are spread throughout the array of parent departments. If DNS is to function

in the North as a sound umbrella department, it must have the same authorities and parallel provisions which are in existence in southern legislation. To alter the proposed amending provision to eliminate the phrase which the member raises concern about — the phrase 'or otherwise acquire' would expressly mean that land and real property may be purchased or leased only.

This would restrict or prohibit the department from entering into contractual arrangements in respect of agreements between public and private enterprises. It would prohibit the department from receiving land and property as an assignment, trade, transfer, grant, gift or bequest. It would prohibit the department from entering into joint ventures which may very well be possible in some of the kinds of enterprises the hon. member lists, situations where the northern corporation or individual may not have available the kind of capital or managerial expertise to initiate the undertaking. The department through this amendment will be able to enter into a joint venture which will give the department the opportunity of lending some managerial expertise and also of providing greater protection to the public funds invested in a given project.

In support of the parallelism or consistency of this proposed provision with other legislation, I would like to relate to the hon. member the following provisions in other legislation. If he refers for example to The Department of Municipal Affairs Act he will find in section 5(1), subsection 1, 'the department may purchase or otherwise acquire land, buildings or materials for any purpose related to the exercises of any power conferred by this subsection'. He will find similar provisions in The Department of Social Services Act: section 6 and 7. He will find similar provisions in The Department of Tourism and Renewable Resources Act: section 10, subsections 1 and 2; in The Department of Revenue, Supply and Services Act: sections 28, 29 and 30; in the existing Northern Saskatchewan Economic Development Act: section 5, subsection (a); in The Educational Communications Corporation Act: section 10; in The Credit Union Act: section 24 'For the purpose of carrying out its objects, every credit union may subject to this act and the by-laws purchase, take or lease or in exchange, hire or otherwise acquire and hold any real or personal property, etc.'. Similar provisions are included in The Crown Corporations Act: section 10; The Saskatchewan Mining Development Corporation Act: section 13; The Saskatchewan Oil and Gas Corporation Act: section 8; The Saskatchewan Telecommunications Act: section 9; The Power Corporation Act: section 10. The Rural Municipality Act: section 222(1) and 222(5) gives exactly the same kind of power to rural municipalities. The Urban Municipality Act, Section 178, gives the exact kind of power with the exact wording to urban municipalities. The Education Act gives the exact kind of power with the exact wording to school boards. The provisions for otherwise acquired or otherwise disposed of property is not restricted to the government departments. It's extended to other entities as I pointed out, for example, credit unions, Crown corporations, local governments and school boards.

I find it somewhat inconsistent that there would be a suggestion that the options available to rural municipalities, urban municipalities, credit unions and Crown corporations should be somehow dangerous or threatening in the hands of the Department of Northern Saskatchewan.

MR. GARNER: — Well, Mr. Minister, I thought Bill No. 13 was a bad one but I didn't get a chance to read this one until now. Boy, I have to go back a little bit on the power on the airplanes. When I look at page 2 of this bill, it's something else.

For the purpose of increasing the economic opportunities of any persons

resident in the district, the minister may, subject to the regulations . . . (c) enter into contractual arrangements with any person on a joint venture basis for the purposes mentioned in clause (a).

I won't go through all of them. But, Mr. Minister, I think you're fairly well aware that I have some questions on a few corporations which have been set up in northern Saskatchewan. I'm not saying you set them up or that there was any political patronage in them. They were in orders for return. I have not received my information yet but if the information I have is correct, (which I believe it to be) this bill will give you the power to go into business with them, to bail them out using the Saskatchewan taxpayers' dollars to do it.

I don't know why any government or any minister wants these kinds of powers, certainly not a minister or a government that says, we're in to help the people of northern Saskatchewan, bail them out, get them into something else and get more government into the North.

We would like to see less government in the North, Mr. Minister. You cannot camouflage it by airplanes and maintenance and bring in something like this and then you want a blank cheque under:

(d) make any necessary expenditures respecting any of the undertakings mentioned in clause (a) for the purpose of clause (b).

You're just asking this Assembly for a blank cheque to bail out some of these corporations.

Mr. Minister, I say to you, that is wrong, very wrong. The people of northern Saskatchewan may need some help but the direction this government wants to take them isn't to help them, it's to control them, take them over and bail them out. I say to you that is very wrong.

You know the corporations I'm talking about. You know the people. You shake your head. You know the people I'm talking about too.

I'll tell you this, Mr. Minister, when we get into DNS (Department of Northern Saskatchewan) estimates I'm going to have the answers. I don't know when the orders for return are ever going to be tabled in this Chamber, but I'll tell you there's no way I can agree with a bill like this which gives a government or one minister that kind of power. It's not necessary, not necessary at all.

If you think, Mr. Minister, that you're helping the people of northern Saskatchewan to go up there with a blank cheque and start either bailing them out or going into business ventures with them, maybe their businesses are in trouble right now, but I'll tell you one thing, Mr. Minister, if you get into bed with them, their businesses are going to be in real tough shape. I say it's a mistake; it's wrong, and if you don't think this is asking for a blank cheque, please tell me what it is asking for?

MR. HAMMERSMITH: — Mr. Chairman, the hon. member makes a number of references to northern Saskatchewan. He refers to some corporations and some people. I don't know how I can be expected to know which people and which corporations and which alleged problems with regard to those corporations he is referring to, so that is something that is impossible to respond to.

In terms of his comments with regard to the presence of the government in northern Saskatchewan. I think the people of northern Saskatchewan have experience in the neighbourhood of 65 to 70 years of the kind of approach the hon. member talks about. I think if the hon. member were to talk with the representative bodies in northern Saskatchewan, would find their response to the presence of the Department of Northern Saskatchewan — particularly with regard to the commitment of this government to undertake what stands as (and every one across this country agrees) one of the most courageous and one of the most comprehensive and one of the most positive attacks on rural or northern poverty this country has ever seen.

He would find the general view across northern Saskatchewan is quite the contrary to what he suggests. Far from asking for a blank cheque, this piece of legislation asks for increased opportunity to work with northern people in their efforts to secure for themselves a greater degree of participation in and benefits from the kind of northern development which is occurring now, and which will occur at an ever-increasing pace over the next four years.

All of the activities of the economic development branch are governed by legislation and by regulation. To suggest that there is a motive to suppress the legitimate economic ambitions of the people of northern Saskatchewan is to deny the fact of what has happened and what is happening in northern Saskatchewan.

It is not our intention to bail out anyone. It is our intention to work with northerners in their legitimate attempts to gain a fuller role in Saskatchewan society as a whole, and in this case particularly in the economic sectors.

MR. GARNER: — Mr. Minister, I will give you one specific case, and this is one of the reasons I don't want you to have the power in this bill. It had to do with a trucking firm in the North, a trucking firm which received a letter of intent to operate. I don't know how many grants — DNS grants, or any other government grants — they obtained. As it turned out, they went trucking for a little while and then bang! They don't even show at their own hearing. Now, it seems to me they could have folded. Under this bill, you can go in and either become partners with them, Mr. Minister, or you can buy them out. That is just one example; I want to tell you I could give you five or six. Now, why do we have to have this now? Is it because of the questions I raised about DNS and the North, about some of the gravel-crushing contractors and some of the truckers up there, on the order paper? What effect did this have on the established truckers who were trying to truck into the North and who had been set up? When a government comes along with maybe a little bit of political patronage (give somebody this, give somebody that) . . . You know, Mr. Minister, I don't know when this government is going to realize that everyone can't be bought. Everyone in Saskatchewan cannot be controlled and does not want to be controlled.

AN HON. MEMBER: — Especially northerners.

MR. GARNER: — Northerners have their pride as southerners do and everyone else. Why do you and this government think the answer to all problems is to go into business with them, buy them out or give them a bunch of grants? Give them the chance to work. They want to. Don't take their pride away. They don't want government leaning over their shoulder.

AN HON. MEMBER: — Right on.

MR. HAMMERSMITH: — Mr. Chairman, in response to the credit the hon. member for Wilkie takes with regard to questions he tabled in this Assembly leading to these amendments, I remind him that the amendments were introduced in December. I am not aware he had tabled any questions at that point. Most of what he says has been said by members opposite on previous occasions in this Assembly and has been thoroughly answered by both previous ministers of this department and by me. I say to him there is one little set of figures which belie what he suggests. That is the set of figures with regard to welfare dependency in northern Saskatchewan which in 1973 was 47 per cent of the population and today is less than 16 per cent. That doesn't suggest to me that there has been no gain in terms of jobs, employment and northern participation in the economy.

MR. BIRKBECK: — Mr. Chairman, just very quickly in response to what you said with regard to the 47 per cent now reduced to 16 per cent dependency on welfare — that may well be, but that difference is made up, in most cases, by grants in one form or another. Well, if it isn't you certainly would have to spend (and we would have to spend) a lot of time, and I, for one, am not going to take the time of the House in proving that particular point. You would take a long time to show us how residents in the northern Saskatchewan district are in fact employed to the extent where those figures have been reduced by that amount. I am not going to get into the numbers game with you. What I am going to do is give you the bottom line on this bill. I think we can wrap it up after that.

Basically, what you are asking is for the taxpayers of Saskatchewan to give you the right to sign a cheque to the extent of \$25 million. And that is up \$20 million from what it was. It was \$5 million that you were able to advance under the act before. Well, I am pretty sure it was \$5 million. But at any rate, it is now \$25 million. That is the current figure. So we can just take that. Never mind what it was or what the difference is. Let's take the \$25 million. You now have the power to write a cheque for \$25 million, in parts of course, for any of the provisions mentioned under subsection 2 on page 2 of the printed bill. That is the concern. That is a legitimate concern which members of the opposition would have. I suppose one could suggest that what we are looking at here is possibly another SEDCO. You know you're going to, as a department, now enter into all kinds of business arrangements with people in northern Saskatchewan, whether they be individual residents or groups or maybe you're just going to enter into a business arrangement up there as a department. Certainly, that's what appears to be the case. I can't see any other motive for it.

I would suggest that with this \$25 million allotment you have, under the powers of this act, to spend in northern Saskatchewan, we would likely see the bulk of it spent nearer to the next election to maintain the northern ridings for the NDP. I certainly see that as being a very . . . (inaudible interjection) . . . obviously that struck a few nerves — but I see that as a very real possibility.

If you were not doing that, if you were taking the appropriate steps to assure (as I've said many times before), that northern Saskatchewan residents had the way cleared by your department to develop the North on their own, with local autonomy as the basis of that development, you would not require from this legislature and the taxpayers of Saskatchewan the authority to write a cheque for \$25 million over this period of time.

That, Mr. Minister, seems to be the bottom line of the whole bill, and certainly is the major concern we as an opposition have. That's basically the way I see it. I suppose, if

you don't see it that way then it would likely be incumbent upon you at this time to describe to me how it is going to be any different.

MR. HAMMERSMITH: — Mr. Chairman, not by way of debate but by way of information, I wish to inform the hon. member that the limit on the economic development advance account was \$15 million, and this asks for an increase to \$25 million. But that is by no stretch of the imagination any authority for the minister to write a cheque in that amount.

I wish to inform him of the process by which economic development loans are handled. There is, in every community, a local loans committee made up of representation from elected representative bodies in the community, as well as personnel from the economic development branch of the department. They have the authority to rule on loan applications up to \$4,000. With loan applications higher than that, they either recommend approval or rejection of the application to the district loans committee, which is a committee representative of the northern administration district and has northerners (members at large) from various parts of the district as well as a representative from the department. That district loans committee approves or rejects loans up to an amount of \$25,000. For loans above that amount, the committee makes a recommendation to the minister, to which the minister either concurs or rejects. At no stage of the game is the minister out writing cheques.

MR. E. A. BERNTSON (Moosomin): — Mr. Chairman, I know the minister wouldn't deliberately mislead the House, and I know that it could have been a slip of the tongue, but more likely he's just not familiar with the legislation in his department and didn't know any better. But just one minute ago, you said the net amount of such advances under the old act, was \$15 million.

1978 statutes, Section 10 — Subsection 3, says very, very clearly:

The net amount of such advances shall not at any time exceed \$5 million.

The amendment in the bill we are dealing with amends the said subsection to read \$25 million. I think the minister wasn't in any way intending to mislead the House.

MR. HAMMERSMITH: — I thank the member for Souris-Cannington for his generosity. It is my understanding (and I don't have the statute here) that there was an amendment subsequent to the statute the member quotes that raised it to \$15 million. I can't quote the bill and date. But you are right, I wasn't intentionally misleading the House. I'm pretty certain you will find another amendment between the statute you quote and the bill we are dealing with today.

MR. BIRKBECK: — No, Mr. Chairman. If that is the case, then this legislation has been improperly drafted.

Section 1 agreed.

Sections 2 to 13 agreed.

The committee agreed to report the bill on division.

The committee reported progress.

COMMITTEE OF FINANCE — ENVIRONMENT - VOTE 9

HON. G. R. BOWERMAN (Minister of the Environment): — Mr. Chairman, I'm pleased to introduce for the first time in this House, Mr. Carter, the deputy minister, who joined us in the new year, sitting to my right; directly behind me a person who has been introduced many times before to the Assembly, Mr. Bill Howard who is the chief of the environmental protection service.

Item 1

MR. G. S. MUIRHEAD (Arm River): — Mr. Chairman, they might as well start saving their voices now because every time I . . . Don't start hollering, agreed, agreed, when I haven't even got up yet.

Mr. Chairman, I say to the minister that I'm not going to make the mistake I made last year in environment estimates. I had a 20 minutes prelude speech which let the minister bring out an hour and 40 minute speech so we're going to dispense with the speeches tonight and get right at the questioning.

I just have about two or three minutes opening remarks but I want to ask one quick question first, Mr. Minister. I want to know who is responsible for making up this estimate on pages 36 and 37. Who's responsible for putting that together?

MR. BOWERMAN: — Well, Mr. Chairman, the Department of Finance prepares the estimates for the House.

MR. MUIRHEAD: — Somebody from your department must give them the figures.

MR. BOWERMAN: — Well, the customary budget process is undertaken by the department but it's no different in the Department of the Environment than it is in any other department; the final approval figures are made by the Department of Finance and the estimates book is printed by the Department of Finance or under direction of the Department of Finance, as are the numbers.

MR. MUIRHEAD: — O.K. Mr. Minister, I'll just give you a few items on which I'll be touching tonight. Then we'll go right straight to questions. I'll be talking about and asking questions on the PCBs in the Regina drinking water. We'll be touching on the PCBs at Federal Pioneer. We'll be talking about the Saskatchewan drinking water situation, Buffalo Pound water reservoir and ditch from Lake Diefenbaker concerning Regina, Moose Jaw and the intervening area. It's typical of last year, Mr. Minister. The people start laughing as soon as you mention water or environment. I take this very seriously, Mr. Minister . . . (inaudible interjection) . . . I might as well warn the people that they can heckle all they want but it doesn't make any difference to me. I just love it. It means that it's hitting home and I just love it. It makes the adrenalin flow, so just keep on heckling boys; I love it.

The first question, Mr. Minister, is (now these questions I'm going to ask you may not just be in the proper order, I put them down as I thought of them) did you test the water for PCBs at the Regina General Hospital in 1979?

MR. BOWERMAN: — Mr. Chairman, while the officials are getting me the answer for that particular question, I know that it's going to be a hot and heavy session here this evening. I wonder if, with permission of the House, we might (those who want to at

least) take our coats off.

The officials tell me, Mr. Speaker, that we don't have here with us this evening the places where water samples were taken, but we can provide the hon. member with all the locations where water samples were taken. It's just that we don't happen to know whether or not a sample was taken at the Regina General Hospital. I think that's the question you asked.

MR. MUIRHEAD: — I can't believe the minister is already starting to sweat and we haven't even started yet. Mr. Minister, can your people tell you how many places other than the wells or the pumping stations, how many private homes and businesses and city hospitals, were tested for PCBs? Do they have that information? Not where, but how many?

MR. BOWERMAN: — Mr. Chairman, the answer to the hon. member's question is that there is a joint operation between the city and ourselves. There were eight or 10 sites which we took water samples from on a consistent basis. But there is no way we could be accurate enough to indicate to the hon. member tonight where all samples may have been taken within the city because I did hear him mention private homes and other places where water samples may have been taken. I think it would be inaccurate for us, Mr. Chairman, to try to give a precise answer.

Most of the deep wells in the city were sampled and of course the Farrell pumping station where much of the sampling was taken and the end results arrived at. I certainly can provide the hon. member with that. But I can't give you the exact data as to what address of a private home or whether or not a sample was taken from this tap or that tap in the city. We just don't have that material here with us at this point.

MR. MUIRHEAD: — Well, I'm very surprised, Mr. Minister. I was sure you would know this would be a subject that would come up tonight, and that you would have every bit of information possible. I think it would be very easy for you to send one of your boys to a telephone to have someone get that information. It should be right there, easy to get hold of. Send somebody for it now.

MR. BOWERMAN: — We can send someone, Mr. Chairman, to the phone and, if we can make contact with the right person, see whether or not we can get the information for the member. But I would hope we are not going to hold up the estimates on the basis of whether or not we can provide all the number of taps in private homes and so on where water samples were taken, because as I indicated to you the water sampling was divided between the Department of the Environment and the city of Regina. The officials from both the city and the department were involved in the sampling process, so there is room for the possibility of error. I think it would be more careful to wait than for me to just recite it to you at this point.

MR. MUIRHEAD: — I won't hold up the estimates but I want you to try to find this out for me. I'm not interested in the pumping stations and the water wells. I'm interested in private homes, businesses, hospitals. Try to find that out while we go ahead. My next question . . . (inaudible interjection) . . . Hospitals and businesses, any place that you have done a test other than normal, like Farrell pumping station. I'm not interested in those because I know all those. I want to know the private homes.

My next question, Mr. Minister, what was the total cost of checking for PCBs in the Regina drinking water last summer?

MR. BOWERMAN: — We'll try to get that information at the same time. Again, that's no way to ask us what it costs to do the sampling program. We'd have to estimate the staff time and the mileage costs. We would have the costs of sampling. We could get those because those were actual pay-outs. But to ask us what is cost the department or the taxpayer, relevant to the estimates, would be a very difficult question to answer. We'd have to do some research on it. We just wouldn't be able to give you the figure you're asking for.

MR. MUIRHEAD: — Well, Mr. Minister, that really disgusts me on as big an issue as this. A lot of money was spent last summer fooling around with checking water when it turned out, as you said, to be only a flaky tap. In the end you spent an awful lot of money.

I think it's up to me; it's my duty as a member of the opposition in the House, to ask what the total cost is, what it cost the taxpayers of this province. O.K. You can't give it to me tonight, but I want your word that I'm going to get a copy of the exact cost — everything relating to it, even what it cost to hire the National Research Council to come in here. The taxpayers must know the exact cost.

MR. BOWERMAN: — Mr. Chairman, I will not undertake to give the exact cost because I think that's going to take more time than is necessary. I think it's irrelevant. Whether I think it's irrelevant is not, I suppose important to the member. Consider the time we would spend deciding how much staff time was involved, how much automobile mileage was involved and how much the telephone costs were. We'd have to go through the telephone costs for calling the laboratories outside of Saskatchewan if there were long-distance costs. All these things enter into the exact total cost. I can't undertake, Mr. Chairman to provide this for the hon. member.

We will provide the hon. member with information regarding the accounts we pay, that is accounts which have been paid. We certainly can give those and have no hesitation in doing so. National Research Council accounts were paid there; laboratory accounts were paid there. They were direct cost accounts where we can get into an invoicing situation. We'll go through them and provide the answer to the hon. member. We'll have no difficulty in that at all. But to try to segregate staff time, telephone calls, and things like this, that I would not be able to do.

MR. MUIRHEAD: — That's what I'm getting at. I don't mean to ask for a breakdown on someone who is already on salary because his salary is not changing whether he's doing a little work here or a little work there. That's what I mean. I'm sorry if you misunderstood me. It's the cost you paid out pertaining to the PCBs — checking, digging, any outside costs — that I want. I don't need the breakdown of any officials and stuff like that. That's small peanuts to me. I want to know the outside big figure that it cost. That's what I want. Thank you.

MR. BOWERMAN: — I can give the member an estimate. It's over \$200,000. As to the exact figure, I can't give it to him this evening. Again, we can provide that. But there has been over \$200,000 of expenditures in the Department of the Environment with respect to this matter of the PCB spill.

MR. MUIRHEAD: — Mr. Minister, have you ever been at the Farrell pumping station? I've looked over the register many times when I've been there and I've never seen your name. And everyone who enters that building has to sign even officials. Have ever been at the Farrell pumping station?

MR. BOWERMAN: — No, Mr. Chairman, I have not been at the Farrell pumping station.

MR. MUIRHEAD: — I figure this has to be the biggest joke of the century, if you haven't been to the Farrell pumping station. You go and check the register to see how many times I've been there. There's no way you're going to be able to answer the questions I have if you've never been there . . . (inaudible interjection) . . . I have the answers but it's not up to me to give them. If I don't get them here, I will give them. That's what will have to happen. I'm going to have to answer the questions. Have you ever been at Federal Pioneer?

MR. BOWERMAN: — Yes, Mr. Chairman.

MR. MUIRHEAD: — What do you know about Federal Pioneer? Do you know where the spill took place? Do you know the dimensions of it? Do you know what part of the building? Do you know what part of the building it's under now, other than just looking at this map in the book? Have you been there and gone through the building with the managers to explain the exact situation? Have you done that, Mr. Minister.

MR. BOWERMAN: — Mr. Chairman, I was at Federal Pioneer plant before the report was complete, before the National Research Council had completed the report. At that point in time no one knew the exact location. No one knew the exact volume and so on relevant to what the hon. member now asks. I was at Federal Pioneer. We reviewed the place where it is reported the original spill took place. I have not been there either subsequent to that or before that first occasion.

MR. MUIRHEAD: — Mr. Minister, will you explain to this Assembly why Dr. Mathias resigned?

MR. BOWERMAN: — Well, Mr. Chairman, Dr. Rick Mathias was not an employee of the Department of the Environment. You would have to ask the Minister of Health, who is responsible for the Department of Health. He was his employee. I can't answer the question.

MR. MUIRHEAD: — Well, I would like to know this. I talked to Dr. Mathias quite a few times last summer, Mr. Minister (I'm sure you didn't because you were away on holidays). Can you tell me why he made the statement that there were PCBs in mothers' milk and then a few days later he changed his position on this? Can you tell me why? When I talked to him, he said this was a most serious situation. He said the amount of PCBs in the drinking water was serious. I also have inside information (I might as well tell you now) from the engineer of the city of Regina who does not believe that these PCBs came from a flaky tap. I'll explain to you later (and ask you more questions) why I can prove to you it didn't.

Why did Dr. Mathias change his statement? After he changed his position I phoned him and he was just like a beaten dog. He could hardly talk to me. He just changed his position. He had no reason; it was just like he was shut up. He didn't say that, but it was just like he was told to change his position. That's the feeling I had. Now I might be wrong. I'm not accusing him, but I had that feeling, Mr. Minister. I would like you to explain the position here, on Dr. Mathias' change. Because there is no way, and you know it, that PCBs, if they came from a flaky tap, ever got in mothers' milk that way.

MR. BOWERMAN: — Well, Mr. Chairman, I'm not going to attempt to answer the question. I say again, Dr. Rick Mathias was not an employee of the Department of the Environment. I will not try to explain why — and have no basis or reason to explain why — Dr. Mathias (if he did change his mind) changed his mind, or why he allegedly said something different one time as opposed to another. I don't propose to try to answer those questions on behalf of Dr. Rick Mathias.

I think, however, Mr. Chairman, there is a rather serious imputation upon the professional ethics of Dr. Rick Mathias. If the hon. member is suggesting Dr. Rick Mathias had some knowledge that PCBs were serious both in the water and in mothers' milk. Subsequently he changed his mind without evidence. I think there's an imputation or a suggestion that certainly questions the propriety and the professional ethics of Dr. Rick Mathias. The hon. member does that on his own account. I neither defend nor do I attempt to defend the situation in that respect.

MR. MUIRHEAD: — I read Dr. Mathias' remarks in the paper — the first ones. I don't have the articles here, but you did just as well as I did. I talked to him on the phone about it and he was quite hepped up about it. I phoned him back as soon as his position was reversed because he made the statement (perhaps you can't remember it, but I do) that it was just a miscalculation. But when I talked to him on the phone he sure gave me the feeling that something smelt. I had this feeling. I would say, if I hadn't become well acquainted with Dr. Mathias (and I respect him very much and I know this didn't happen) as I did, I would say this right to you, how much did the government pay that man when he resigned? But I can't say it because I have too much respect for Dr. Mathias. He wouldn't go for that.

Mr. Minister, what is your involvement and jurisdiction in connection with all water supplies in the city of Regina? What is the Department of the Environment's involvement and jurisdiction in connection with all water supplies in the city of Regina?

MR. BOWERMAN: — I understand, Mr. Chairman, that the approvals or the authority come in two forms. Firstly, under The Water Rights Act we give the city the right to take water or to draw water from a source. Secondly, we license the construction and operation of the water works. Therefore, there are basically two areas of jurisdiction or authority.

MR. MUIRHEAD: — Mr. Minister, this leads to quite a topic. I tried to obtain samples of water from Farrell pumping station last summer (I believe it was the month of June) and was told by city water officials that Farrell pumping station was their complete jurisdiction. I was leaving to go away on a trip on a Sunday. I phoned my colleague Paul Rousseau from Regina South to ask if he would go over to pick up two samples of water from Farrell pumping station. I phoned Mr. Mann to see if this could be arranged on a Sunday. He said, yes, as long as he identified himself as Paul Rousseau he could get the samples. When Paul Rousseau got there they said no way, we have to have permission from environment before we can give you any water.

So when I came in . . . (inaudible interjection) . . . it's a coverup all right, because when I came in, Mr. Minister, that evening, I went around (I've been there before and they knew me, they didn't have to identify me) and I asked why I could not receive samples. So they let me phone Mr. Mann and he said, I'm sorry, I've been overruled by Don Fast from the environment. When I talked to Don Fast on the telephone he said, I cannot give you any water samples; you must have certain bottles. I said, will you lend me yours? No, you must have certain bottles. Can you explain why environment had this

authority to come in and step over the city of Regina to say I could not obtain water samples when Regina would have given me the bottles from the Farrell pumping station?

MR. BOWERMAN: — We are certainly not going to attempt to dwell on the subject. There is no question about it. I outlined to the hon. member the areas of jurisdiction and authority which the Department of the Environment has. Now I don't know what communications he may have had with city officials, with individuals or with whom? I don't take responsibility for that; there is no way I can. But I suggest to you that the Department of the Environment has no authority over who goes into the Farrell pumping station or who comes out of the Farrell pumping station or who takes water samples in Farrell pumping station or otherwise. Mr. Don Fast or anyone else in the Department of the Environment has no authority or no jurisdiction in that area. If the hon. member was talking with city officials, then I don't know what their answer is and I don't defend what their answer is.

MR. MUIRHEAD: — Well, we don't have to worry about what they defend. You better defend Don Fast and right now. Because I was away for about five or six days and when I came back I took the Leader of the Opposition (well, he wasn't the Leader of the Opposition then; he was the member for Souris-Cannington, Eric Berntson) . . . When we landed in Regina on the plane, we phoned Mr. Mann and asked, can I get water or can I not? He said, of course you can. He phoned to Farrell pumping station and said, bring two sterilized bottles. I went right down here in the kitchen where they sterilized two quart bottles for me. Mr. Berntson and I went over there and the man who was on duty said, no way. I can't get you any water until Don Fast says you can have water. I phoned Don Fast and he said, you can't have water, no way; you have to have the proper bottles and we will not let you have ours. I was stopped by Don Fast. He wouldn't let me have it.

So what I did, Mr. Minister, is I phoned the federal Minister of Environment to see what I could do. He said, get in touch with Environment Canada at Calgary and they can give you permission to do the water testing. So I phoned Calgary and talked to Environment Canada. They said, no problem, we will send you the bottles immediately. All we have to do is check it out with the federal Minister of Environment. I received a letter in the mail in just a matter of a day or two saying the bottles were on the way. But they didn't come so I phoned back to Calgary. I asked, did you not send the bottles or what happened? He said we have been stopped by the Saskatchewan Department of the Environment saying they have a contract with Environment Canada to test our water and no outside people can do it.

So I had to get in touch with the federal Minister of the Environment again. He said, I guess they've got you; they have that contract. Somehow or another, the Department of the Environment did not want me to check the water at that time. So the federal Minister of the Environment made arrangements some place in Vancouver (I have the name here, CANTEST Ltd., Pandora Street, Vancouver, B.C.) But they could not understand why the critic of the environment in Saskatchewan would not be allowed to have bottles when Regina tried to give them to me. Environment Canada tried to give them to me; Environment Canada tried to give them to me. You stopped them both times. Now I don't know, Mr. Minister, whether it was you or Don Fast, but somebody had better explain why I was cut off at the pass.

MR. BOWERMAN: — Well, I'm not sure whether I am pleased to know, or whether I am under some illusion that I have more powers than I thought or that the department has

more powers than we believed it had.

The charges the hon. member makes, Mr. Chairman, are very serious charges. I am sure if he had anything he could back up those charges with, he would have it here this evening. They're like many other charges the hon. member has made about other subjects. All I can suggest to the hon. member here is that we do not have any authority to prevent anyone from entering the Farrell pumping station. That is city property and city people will do so.

However, if the hon. member or anyone else was attempting to negotiate a sampling process under some contract which the department had with a laboratory, then, yes, if they were asking for us to supply bottles to the hon. member or to anyone else, to get into the contract we had with someone else, I can well understand Mr. Don Fast or anyone else in the department saying no. I, in fact, would support them in saying no.

I would suggest to you it was a difficult enough time to try to get the samples and get them properly analysed. There were so many different kinds of tests coming from various laboratories, and to have the hon. member coming to the department and taking samples (which we would have no control over once he took them), and sending them to a laboratory on his own, would mean we would have no knowledge of what the hon. member was doing with the samples or how carefully the samples were being taken. Therefore, Mr. Chairman, in order not to be implicated in any of the sampling done by the hon. member, I can quite well understand an employee saying no, we would not provide sample bottles and you cannot get your samples tested at a laboratory with which we have a contract. I am pleased to say I agree with the staff member for taking the initiative in doing so.

MR. MUIRHEAD: — Mr. Minister, if you're suggesting for one minute that I would take water and add PCBs to it, I am suggesting that you took the water and took the PCBs out before you sent it away to get tested. Well, he just blamed me for that.

I say to the minister, there are far more chances that your department took samples from where they wished, than I would have tried to add to them, for goodness sake. Quit your accusations. If you want to know some more facts (you said I am making up accusations) I'm going to just tell you that the last time I did talk to Don Fast, he said the only way you're going to have anything out of this Farrell pumping station is to meet me there at a certain time. I took the press with me.

If you want some proof, three or four people from the press were there. We went to meet Mr. Fast. He was to be there at 11 o'clock, and he wouldn't even show. But we went back at 3 o'clock and he did show. He said I could not have anything, but I could watch them take a test and how it was performed; I could watch them put the water in a bottle; I could watch how they took it out of the tap. I'm going to tell you, Mr. Minister, if you think you're fooling the people in this city by saying that tap flaked off some PCBs, well then you people are mighty short of brains over there and mighty short of common sense.

I'll tell you there are four pumps in the Farrell pumping station. I have my diagrams from inside information, right from an engineer before I went in there. I knew where each one came from. Pump No. 1 brings the water from the surrounding wells and some from the well at 9th Avenue. Pump No. 2 brings it right from the reservoir . . . (inaudible interjection) . . . Well, he doesn't know anything and I can remember something.

All right, we'll read it if you want to get down to technicalities; I write my information

down. Pump No. 1 comes from the surrounding wells mixed in the station at 9th Avenue, where most of the water comes from Buffalo Pound. Pump No. 2 comes from the reservoir at Farrell pumping station. Pumps 3 and No. 4 . . . (inaudible interjection) . . . You know, this whole government confuses me because they have no interest in anything but hiding things. That's all you've done from day one. I have sat with this government in this place for over a year, and I have never run into such a block in my life. I sat in Crown corporations this year. You only find out what they want to tell you. Then they sit there and snicker at you.

Now, I've respect for you, Mr. Minister, and I am not blaming you for this water situation. I am blaming Don Fast for the way he communicated to me and the way he overruled the city. You've already said there is no way he had the jurisdiction to overrule the city. So I want something to come of this. I want you to find out exactly. If you can prove me wrong and Don Fast didn't overrule Mr. Mann, I'll apologize to this Assembly inside and outside; but if I am right, I want you to be man enough to make the statement that Don Fast overruled.

Now that's fair enough. Because all you have to do is ask Don Fast and ask Mr. Mann, and you can also have a little chat with the mayor of that time as to what was going on. He told me himself there was no reason; I talked to him at the funeral of the late Mr. Diefenbaker and he said, Gerry, there is no reason you couldn't get water from Farrell pumping station. There was a good reason all right; your men wouldn't give it to me. They overruled with no authority.

Now, what am I supposed to think when you walk in there and the town says the city gets water and you cut us off? That means just the same old thing. You're hiding; you're hiding. Now they took me down to pump no. 1 where they took the water from. There was a tap sitting there. The bottle they took it from sits on a platform, and there happens to be about two or three inches of space left before the tap. It was just a little tap, as you would put on the bottom of a barrel. They turned the tap on and filled the bottle, then refilled the other ones. If you think for one minute that I think that flaky . . . (inaudible interjection) . . . I wouldn't let you in for five, because if you get in for five you'll hold it until 10 o'clock like you did before.

Mr. Chairman, the man from Nipawin can sit right where he is forever, for all I care. The only way I'll let him in tonight is that I may just say this is a good job and let him on Bill No. 105 if he wants. Yak away on that.

Anyway, this is in the past, Mr. Minister, and it has been discussed plenty, but I just want it on record in this House that I do not believe for one minute and neither do the people of Regina believe the stories — the city officials who work there, the engineers, the majority of them, because I've talked to a lot of them. Now, I talked to . . . (inaudible interjection) . . . You did a good job. Somebody in your department did a real good job of convincing Dr. Gordon Butler of the National Research Council that the PCBs came off the flaky tap. But when I told him my storey, he said, I think I was led down the garden path by the Government of Saskatchewan. Now phone him; here's his telephone number — 995-7852. Write it down. Phone him. He happens to be the man that you hired from the National Research Council of Canada to come in and do the whole research for PCBs. He is also the man who said, don't get off their backs, they have no reason to not bury these PCBs this summer . . . (inaudible interjection) . . . I'll give you the number all right.

I'll give you three numbers: 995-6600, 995-6601 and 995-7852. You'll get him . . .

(inaudible interjection) . . . You heard me the first time. You can check Hansard tomorrow . . . (inaudible interjection) . . . It happens to be 6:13; I have just as good a memory as Wes Robbins.

Mr. Minister, what was the date (maybe you won't know the answer to this but you might) the Department of Labour was first involved at Federal Pioneer, due to the PCB spill?

MR. BOWERMAN: — Mr. Chairman, I want to say with respect to the staff members that I take full responsibility for the members of the staff for the Department of the Environment. I am pleased to do so. Any accusations against staff members will be accusations against me in not fulfilling whatever the hon. member thinks my responsibilities are with respect to the samplings and the refusals, or whatever they were purported to be, at the Farrell pumping station.

A question asked earlier this evening, one of the first questions asked, was how many samples were taken. We have the information. Approximately 300 samples in total were taken. Two samples were taken at the General Hospital, 15 samples at outside taps of homes and businesses. The cost for analysis of these samples was about \$15,000 not including department staff time and so on. The plan for testing was developed with the city and went through major sources to trace the cause — samples from the pumping stations, the main supply wells, the transmission lines, the storage reservoirs and Buffalo Pound Lake, about 280 tests in all.

The results were isolation of a cause or source. There were never any confirmed PCB samples found outside the Farrell pumping station. This is the information, Mr. Deputy Chairman, that we have for the hon. member. He probably won't be able to absorb that, but it will be there for a matter of record; you can refer to Hansard with regard to the number of samples taken and some of the costs and locations of the samples taken.

MR. R. L. COLLVER (Nipawin): — I do appreciate it Mr. Deputy Chairman. I have only a brief remark to make to the minister. I was interested in what the member for Arm River was saying. I thought he was making a point. I wonder if the minister would be so kind as to conduct an experiment for me this evening. Just a small experiment, and I am sure the minister would be happy to do so. I wonder if he would mind picking up the water glass that has been served to us here in this Chamber and hold it up to the light and tell me exactly what he sees. The minister has been attempting to tell this Assembly about the beauty and joy of Regina water. I wonder if he would be so kind as to just take his glass and hold it up to the light and tell me what he sees in the water. Would you do the experiment for me, Mr. Minister?

MR. BOWERMAN: — Mr. Chairman, I don't believe that is nor will it ever be, I hope, the responsibility of the Department of the Environment to assure that each city, village and town in the province of Saskatchewan has a water supply which will meet the satisfaction of all persons. That's just not the area of jurisdiction or responsibility of the Department of the Environment.

I have not been here this evening trying to say that this water is good or that it's poor or anything else. No questions have been asked relative to the quality of the water here in Regina other than whether or not there were PCBs in the Regina water supply. I will do the experiment and I'll tell him I can't see any PCBs in there. And I'm not sure that he will be able to unless he has visions, like the hon. member for Nipawin has.

MR. COLLVER: — I wonder if the minister might go a little further with the experiment. I wonder if he might taste the water he has been provided with in this city and then tell me that the water in the city of Regina is particularly pure. The minister said that he can't achieve a standard for all people in terms of quality of water.

I wonder if it would be possible for the Minister of the Environment to say whether it is the responsibility of the Department of the Environment to achieve some form of quality of water for some people. I don't think there's a single citizen in the city of Regina who believes that the water provided to the citizens of Regina is anything but impure and perhaps unsafe, but certainly impure and tastes like — well, it's probably the worst-tasting water in the world.

Is there not some means by which the Department of the Environment can possibly develop some form of quality standard for water so the city of Regina is not faced with this kind of problem on a continuing basis?

MR. MUIRHEAD: — Mr. Chairman, I just want to set one thing straight on the record. I didn't make any accusations against any of your staff. You made them against me. I said what they did and you just doubted my word. I asked you to straighten it out. No way did I make any accusations against Don Fast. I just said that he overruled the city. That's not an accusation. I didn't say the man did anything wrong. And I want it straight on the record. You doubted my word.

AN HON. MEMBER: — He's backing off.

MR. MUIRHEAD: — I am not backing off. I said that Don Fast was responsible, that I would get no water and he saw that I didn't. Mr. Fast saw that I didn't get any water. Now maybe that was his job. You told me tonight that it wasn't. And I made no accusations against the man — none — other than what you said tonight yourself that you doubted my word.

I am the one who has to see Mr. Mann and Mr. Fast and bring them together and get statements because I will not have you make accusations that my word is not right. I made no accusations against your man. All I said is what he did. That's all he did — would not let me have water. All you have to do is go up there and talk to the press and they'll know the situation . . . (inaudible interjection) . . . You better be careful or your neck will be in a noose. They are listening to you up there.

I asked you the question, Mr. Minister, what was the date that the Department of Labour was first involved with Federal Pioneer due to the PCB spill? Closest to your knowledge, what was the date?

MR. BOWERMAN: — Mr. Chairman, I don't know what the date was when the Department of Labour is reported to have taken action or otherwise. I don't have the dates here. It would not be my responsibility to know those dates in the first place. So I don't have an answer to the question. I don't think really, Mr. Chairman, that it's the responsibility of the Department of the Environment to be answering questions as to what happened in the Department of Labour?

MR. MUIRHEAD: — That's fine, Mr. Chairman. You surely can tell me this one though.

What was the date that the Department of the Environment was first notified about the spill?

MR. BOWERMAN: — In August of 1976, I'm not going to try to get any closer to that. Mr. Chairman, I really don't understand the opposition member. I appreciate the hon. member believes he is going to make a point. We were through this for hours and hours and hours last year. We were through it before I became the Minister of the Environment, and here we are talking about something which happened in 1976, four years ago. You'd think, Mr. Chairman, or at least I would think that if there isn't anything more important in environment in 1980 than what happened in 1976, those folks across the way are really lost in the wilderness. It seems to me, Mr. Chairman, there are many, many issues that are current and relevant to the issues of today. In 1976, we're not going to change anything as to whether or not the staff member was there on the 15th or 16th or the 17th or the 24th. If the hon. member has something which he thinks the public of Saskatchewan should know that is deep, dark and secret, I wish he would unfold that information before the Assembly and before the public of Saskatchewan so we could at least talk about things that are current rather than 1976.

MR. MUIRHEAD: — Mr. Minister, if you don't think this is current when we are talking in 1976 about a PCB spill of 1,500 gallons, costing maybe a few thousand dollars to remove, and we're talking about \$3 million today, then you've got to be right out to lunch, Mister. Right completely right out! We're talking about \$3 million, and you say it's not current. Now, come one! I'll lead down to the questions that will bring it up to date. It's got to go back to 1976. When you end up in the court room like you said your were going to, you're going to have to have this. You made the statement you are going to take Federal Pioneer to court.

AN HON. MEMBER: — No.

MR. MUIRHEAD: — You have so. It's been in the papers and all over and you made it. What was the date the Department of the Environment first took action at Federal Pioneer?

MR. BOWERMAN: — Now, I'll say, Mr. Chairman, August, 1976.

MR. MUIRHEAD: — What did they do as their first action

MR. BOWERMAN: — A visit was made in conjunction with the Department of Labour to the Federal Pioneer plant.

MR. MUIRHEAD: — When did they put the pavement over the PCBs. What date?

MR. BOWERMAN: — Before freeze-up in 1976.

MR. MUIRHEAD: — That's absolutely very close. I want it back on record that I said a year ago in this House that environment knew about this in August 1976. And no one will ever make me believe that almost every cabinet minister sitting on that side didn't know about it. You're going to tell me, and I want it on record. The Mayor of this city had to know about it. The Minister of Labour knew about it because Mr. Scattergood of that department was contacted two days after the spill. I have the proof from Federal Pioneer officials that he talked to Mr. Snyder on the telephone right from that building.

Now, if Mr. Snyder knew about it, you people all knew about it, and don't try to fool the

public like you did. I've never seen such a bunch of monkeyworks in my life! You would think that something would happen in any caucus in Canada as important as that and a cabinet minister would find out about it. Hey, we have a spill out there at Federal. It's not serious; it's not even against the law (PCBs). They haven't even made it a law yet in this country, so it's not serious. But it's serious enough to cover it over and make a tomb out of it. I'm asking you why?

It was your ruling, (not yours Mr. Minister, but the department's ruling) that pavement be put over the PCBs which Federal Pioneer could have moved to a garbage dump for about \$1,000. You overruled them by putting the pavement there. Now you have the audacity to say to the press that we are going to sue them for \$3 million. You have made the statement that if they don't pay you are going to sue.

I have been talking to the officials of Federal Pioneer and you don't fool around because I know. I know exactly what's going on here. I know some figures will be coming out in this House shortly about when some cabinet ministers knew exactly. I'll tell you when I feel like telling you because I have been waiting for information from you people for a year and I never get it. It'll come out in the courtroom. That's where it's going to come out.

I'm the last person in this world who wants to stand up here and see the taxpayers get stuck for \$3 million. But I'll lose votes before I'll see even one person, one outfit like Federal Pioneer get stuck for all that money, when it's your responsibility by covering it over with pavement and saying we'll take care of it. They have been going by your orders ever since. Now where do you get the power? Where do you get it from to tell them that they have to pay? You have never even brought their suggestion to this House about putting a retaining wall around it, 200 feet in the ground, which might only cost \$1 million. You have never brought anything to the public of Saskatchewan, only what the press digs out. They wouldn't know yet about that spill if the press hadn't dug it out.

AN HON. MEMBER: — Good for the press.

MR. MUIRHEAD: — I say good for the press, yes.

SOME HON. MEMBERS: Hear, hear!

MR. MUIRHEAD: — I have never seen such a coverup government in my life. Now, if you got away with that one, how many more in the province of Saskatchewan are not under cover yet? How many more?

Mr. Minister, the next question I want to ask you is have we any more PCBs in transformers in Saskatchewan at this point? Now I asked you this a year ago and I'm asking you again.

MR. BOWERMAN: — Yes, I would suspect that there are. I believe there is a fairly good inventory of where they are and how many there are.

MR. KATZMAN: — Mr. Chairman, if I may have permission to introduce somebody?

MR. CHAIRMAN: — Could the hon. member have permission to introduce a guest?

Agreed.

INTRODUCTION OF GUEST

MR. KATZMAN: — Sitting in the gallery on the other side is a gentleman from the United States from Washington, D.C., a Mr. Steve Early, who is here and has been meeting with the Minister of Labour's people and looking at the Saskatchewan occupational health system and the committee. On behalf of the members here we welcome you; we hope you gain an education that will help you and your endeavours in the United States to copy this system.

HON. MEMBERS: Hear, hear!

COMMITTEE OF FINANCE

Department of Environment (continued)

MR. ROUSSEAU: — Mr. Minister, earlier today in the question period, you were asked a question about the Federal Pioneer spill. As I recall the answer, I think you said you couldn't believe the pipe had suddenly eroded and caused a spill overnight. Were you saying that the break had occurred some time before and it had been over a period of time that this spill had been going on? Is that what you meant by your reply?

MR. BOWERMAN: — Mr. Chairman, I want to say much of what I said this afternoon, as much as I can recall, was with reference to the National Research Council report. I was saying that the information in the National Research Council report would lead one to draw some conclusions about spills at the plant.

I went further to say I preferred not to answer any questions about the detail of Federal Pioneer, because of the implications involved in court proceedings that are now under way.

The gist of my statement, then really was relevant to the National Research Council report and the impressions which I took from the information contained in that report and the assumptions that I could draw, or that one reading that report might draw, from the report itself.

MR. ROUSSEAU: — I'm curious to know how you would draw those conclusions. As I recall (and I don't have it here with me but I have it in my office and I can go get it), in the research council's findings, in that particular report they published and submitted, the drill tests they made were found in certain areas around the spill in close proximity and not very deep. I think the deepest drill was somewhere around 10 feet. I stand to be corrected on the exact footage. However, if you draw that kind of conclusion from what you read in that report, then how do you account for the spread of the PCBs to the extent that they have spread now?

The latest report we've had on it was discussed in this House not too long ago. We're talking now about a couple of hundred feet or something that they've gone down and spread out. How would you draw your conclusion, which you led us to believe in this House today, that the spill had to occur many months or years or whatever some time prior to its discovery, when it has spread that much further today? At that time the report will show you the spread of the spill wasn't all that great.

MR. BOWERMAN: — Mr. Chairman, I have a copy of the report. I see that the hon.

member for Arm River has a copy of the report. He may want to hand it to his colleague.

On the back cover of the National Research Council report, you will see up in the corner, a rail line with what is called by the reference note — major areas requiring remedial action, shallow — little round numbers unassociated with anything else near the plant. What conclusions might one draw from that? A rail line coming in, emptying from a rail car into a facility of some kind, but not related to the other area. As I indicated to you from that report, I look at that and I immediately ask myself the question: how does that relate to the other? Where was the pipe going under the ground and so on? I drew a conclusion from that, Mr. Chairman; there is other information in that report which has not been analysed and has not been questioned. I would not think it's fair to say that because the matter is before the courts and is a matter now of legal action. My counsel to the department and the legal counsel to ourselves is that I should not be discussing this issue; and as I said this afternoon, I would prefer not to go any further with regard to questioning or answers to questions.

MR. ROUSSEAU: — This isn't by the way, the report I was looking for. Wasn't there one prepared by your department at the time showing the depth of the drill holes and so on which were made. I have one and I'll go get it.

MR. BOWERMAN: — You're referring to the main report. This is a summary, I believe. It's not all the material. You have the full report, so it will be more detailed.

MR. ROUSSEAU: — Yes, O.K., that's the one I'm probably referring to; and, as I say, I don't have it with me so I can't refer to it at this point in time. The only reason I'm questioning you on it is to clarify in my own mind the statement you made in the House today. You indicated (at least I understood you to indicate) that what you believed to be true was that the pipe had erupted some time before its actual discovery. When you point to the back cover of this report, and you talk about where this rail line is going, up at the top corner . . . Yes, spills can happen from a transformer. It could have happened. And that indicates 'shallow'. That's what it says, shallow. What do you mean by shallow? It could be six inches into the ground, right. That has nothing to do with the pipe breaking. What we are talking about, and what we were talking about today, was the actual pipe breaking and its discovery and your action subsequent to the discovery, which took place two years after the breakage.

As my colleague the member for Arm River has indicated, evidence seems to be coming out today that some ministers in your cabinet knew as far back as 1976. That being the case, I'm wondering whether your predecessor actually didn't know about it; or has he tried to make the members in this House believe he didn't know about it when, in fact, cabinet ministers did know. The evidence is coming out now.

MR. BOWERMAN: — Mr. Chairman, if the hon. members have some information which has never been made available, then they're covering up. All they're doing is insinuating or inferring that somewhere around there are deep, dark secrets about ministers who knew in 1976 and didn't advise the public, or inferences to that effect. If the members have that kind of information, surely they should have let it be known before now; and if they know now and are not making it available to the Assembly, then they themselves are the proponents of a coverup.

All I indicated to the House this afternoon, in the question, is that by looking at the National Research Council report I see some things which obviously raise questions in my own mind. And I'm sure anyone who takes a look at that and at the incoming railroad

tracks and spur lines, and sees that obviously (or it looks to me like) samples that have been taken there show there have been spills in areas which are unconnected with the tank where the line ran under the ground to the plant — unrelated, not connected thereto. It seems to me it may have been possible this material was spilled in unloading and may not have occurred at the moment members opposite seem to be asserting — at the expansion or the break in the line.

MR. ROUSSEAU: — Mr. Minister, I don't have the evidence which you're referring to and I certainly am not suggesting anything like you have suggested. All I'm saying to you is that the member for Arm River a few minutes ago indicated to you that he has a letter or evidence (I can't recall whether he said letter or evidence). A phone call was made to the Minister of Labour two days after the spill. He will probably produce the evidence which he has to support the statement he made.

However, I want to ask you if your department was negligent back in 1976? Certainly it was admitted by the deputy minister at the time that he knew about it, and the ultimate responsibility is always to the cabinet minister involved. He is responsible for that department. If you knew (and you did or your department did) and no action was taken by your department and it was sloughed off, how can you justify penalizing the company which acted in the only way they knew how at the time, based on their reporting it to your department and to the city. They were told there were no problems to carry on and clean up as much as they could and (as the report indicated) also to cover the ground with an asphalt pad. These were instructions coming from your department or at least from some department of the government. How do you justify at this point in time penalizing that company by saying to them that they have to pay for the cost?

Now are you not setting a precedent, to lay very costly penalties on the shoulders of taxpayers, whether they be businessmen or individuals in this province, by acting the way you're acting now? I think you have a moral responsibility if nothing else to see to it that the costs are shared, and I realize I'm talking about taxpayers having to pay this. Maybe we should be talking about the individuals who are responsible paying for it and I'm talking about the people within your department. You're setting a pretty dangerous precedent to the citizens of this province by acting in the manner you are, and I would like your comment on it.

MR. BOWERMAN: — Mr. Chairman, I'm not going to speak with reference to Federal Pioneer. I'm going to try to avoid that because I have been advised and our department has been advised that because of the nature of the proceedings which are now underway, I shouldn't jeopardize future actions in any way. I will, however, answer with regard to another situation which is similar. But I would answer it in general by saying wherever there is a spill of toxic materials, chemicals or otherwise, (I would believe this about INCO in Ontario; I believe it about Hudson Bay Mining & Smelting in Flin Flon, where they are emitting into the air sulphuric acid and it's causing problems in the environment and it's causing problems for people in communities) then I don't see how that becomes a taxpayer's responsibility. When they have a stack that's emitting pollution, then I think that company and that corporation is responsible for its actions. I think it is only justifiable and responsible on the part of government to deal with issues on that basis. We have a situation in Moose Jaw where we are going to be faced with perhaps the same kind of an issue.

In my judgment (maybe I'm wrong, and I hear the members opposite in support of Federal Pioneer saying, it's the taxpayer who should pick up part of the cost), the

responsible agent is the person who is in control of, or the person who is the owner of the toxic chemical. Whether it's an accidental spill or whether it's an intentional spill. I think it nevertheless is a spill. It's into the environment. It's causing some damage to the environment and to the people related to that environment. I believe it's a responsibility of the government to see first that it's cleaned up.

MR. KATZMAN: — Point of order, Mr. Chairman. I think the procedure and the custom of the committee has been when a member or members are on one item of questioning they are allowed to continue. If the member for Saskatoon-Sutherland is on a new line of questioning, I suggest you must refer back to the members on the other line. That's a custom and usage.

MR. CHAIRMAN: — That's not a valid point of order. The member for Saskatoon-Sutherland.

MR. ROUSSEAU: — Mr. Chairman, apparently the member for Saskatoon-Sutherland is yielding to me. Thank you very much, I appreciate that.

Mr. Minister, you hear only what you want to hear when you say you're hearing that we're supporting Federal Pioneer. That is not what I am saying, not at all certainly not in my meaning and my words. What I am saying is that you are setting precedents. I certainly will support anyone who is being penalized by your department through your mistakes and your errors, whether they be Federal Pioneer or John Doe on the street. It doesn't matter. If the law was made by you and the ruling was made by your department and that ruling is found to be wrong, I don't think you have a right to turn around and penalize the person who is involved. That could set a very dangerous precedent. We could use all kinds of examples.

If you were to tell IPSCO, for example, how to build a certain smoke stack for their plant and they followed the instructions exactly the way you instructed them . . . I'll go another step. The department of occupational health insisted one time that I put a certain unit in my dealership for clean air. And we followed the instructions as laid out by that department. If two years later they come to me and say, you put in the wrong one, why should I have to pay for it? And that's an example I'm using. I say if you're setting the rules, then you be prepared to live with the rules you have set. Don't change them after the fact. And that's the point I am trying to make. So if you're going to come out with the regulations, rules and equipment that people are obligated to install or rules they have to follow, then allow them the privilege of doing so without penalizing them later on. I think that is the point which you are missing.

MR. MUIRHEAD: — Mr. Chairman, you let my colleague in for a few minutes there, but I will go back to my line of questioning here. Who paid for the pavement at Federal Pioneer? Was it Federal Pioneer or the Department of the Environment? Which one paid when that pavement was put down?

MR. BOWERMAN: — Mr. Chairman, I have indicated a number of times that I do not wish to be drawn into debate on the details of Federal Pioneer at this point in time. I regret that. I would like to have the opportunity to debate and answer the questions as much as I am able to.

But I have been advised by our solicitors, by our legal counsel that we should not be discussing this, even to the extent we have. I am asking the hon. members to recognize that this is a position I am going to have to acknowledge and to honour. I am not going to

be drawn into a debate with regard to the issues at Federal Pioneer.

MR. MUIRHEAD: — Mr. Minister, there is no way you can get away with that kind of talk. If you were getting close to a court case or something like that — but you are not. That is a simple question. I can go to the phone and find out in a minute. But it is up to you as minister; you should know; your people should know. Who paid for the pavement when they put it down? It is simple. It is a very, very simple question. Which one paid for it, Federal Pioneer or the Department of the Environment? There is no reason why you can't answer the question. There is no way you can weasel out of this and say you don't want to get into a debate about Federal Pioneer. Let's not call it Federal Pioneer. Let's call them A and B, Government is A; we are talking about B. Which one paid for it, A or B? . . . (inaudible interjection) . . . Who's C? Are you refusing to answer the question, Mr. Minister?

MR. BOWERMAN: — Yes, Mr. Chairman, I am. I tried to indicate as well as I was able, that I am not going to be drawn into a debate. One question leads to another. One answer leads to another. I am simply not going to be drawn into a debate with regard to this. I have been advised by the legal officials. My officials have been advised by our legal counsel that the issue is one which should not be discussed. We should not be dealing with the details of the matter. I am going to honour those directions and that guidance. Therefore, I am not going to answer the hon. member's question.

MR. MOSTOWAY: — Respect for the courts.

MR. MUIRHEAD: — Somebody said something about courts. We're not even talking about courts. He just wants to settle it and they'll end up in court, if they don't pay.

Now what do you expect me to do? What do you want me to do then, Mr. Minister? Do you want me to insist that I get the answer? Because if I insist, we will sit here until doomsday. All right then, tell me. I want to know the answer or we don't move. Mr. Chairman, I wish to ask a question of the minister. Who paid for the pavement that was put on at Federal Pioneer in 1976?

MR. BOWERMAN: — Mr. Chairman, I say again, I tried to give the hon. member an answer, the best answer I am able to give. Once I begin to answer, who paid for this, who paid for that, how much was paid for, who put it down, who was involved in the construction process, were there any decisions made in conjunction with the company, the corporation — they would lead to other questions. And we are going to have to face the issue sooner or later. I have attempted to give the answer which I am advised to give. I am going to follow that advice. Therefore, I cannot answer the hon. member's question.

MR. MUIRHEAD: — Mr. Chairman, I am just as stubborn as you are and I will do what the Social Credit member in British Columbia did. I will ask it 78 times if I have to, if it goes right through until Christmas time: who paid for the pavement at Federal Pioneer? We'll call the government A and that outfit B. Who paid for it?

MR. CHAIRMAN: — Order! I'll have to inform the hon. member that his question is entirely in order and the answer of the minister is entirely in order. It is not in order, however, to be tedious and repetitious in any line of questioning. It is obvious the hon. member is not going to give you the answer to that question. I suggest you go on to another question.

MR. MUIRHEAD: — I ask the same question again. Who paid for the pavement at Federal Pioneer?

MR. CHAIRMAN: — Order! I said your question was in order the first eight times you asked but, but you are getting a little repetitious and that is out of order. Have you another question?

MR. BERNTSON: — Could the minister tell me just how much pavement there is in this area to cover the PCBs?

MR. BOWERMAN: — No, Mr. Chairman, I cannot tell the hon. member.

MR. BERNTSON: — What was the purpose of laying the pavement, concrete, asphalt, whatever it was? What was the purpose? You've taken credit for putting it there, now surely you know why you put it there?

MR. BOWERMAN: — I will answer the hon. member in the same way. I'm not free and at liberty to continue to be drawn into a debate about the actions or issues at Federal Pioneer because of advice which I have and which the officials have from our counsel. Because of the pending actions in court we are not able to discuss them. I say to that hon. member and to all hon. members across the way, I will not be led into any further debate with respect to Federal Pioneer. I regret that. I would like to debate the issue. I would sincerely like to debate it. I would sincerely like to answer the hon. member's questions, but I cannot do so.

MR. BERNTSON: — If the minister would explain just what litigation is going on now. Where is it in court? Have charges been laid? Just what litigation is going on at this time?

MR. BOWERMAN: — The issue before us is that on March 5 I issued an order on the company to undertake to do certain things. I understand the company has now appealed that order and the issue is before the courts. I'm not prepared to answer any further questions with respect to Federal Pioneer, Mr. Chairman. I have tried to indicate to all hon. members opposite the reasons why. I think those reasons are valid. I am not going to jeopardize the success or the outcome or the failure of actions before the court. I think it would be irresponsible of me to do so. Because of things which I said here or discussions which went on here, it may or may not end up being the responsibility of the taxpayers to pay or to reimburse . . .

MR. BERNTSON: — I don't agree that it would be irresponsible but even if it were, it's not the type of action that is foreign to you. You indicated you had ordered Federal Pioneer to do certain things on March 5. These certain things were not done. You indicated that and I think the records will show it. What sorts of things? Surely if the thing is before the court, if it's filed before the court, I can go down tomorrow and pick up the document anyway. So surely you can tell us what sorts of things you directed Federal Pioneer to do that they did not comply with.

MR. BOWERMAN: — The order which I referred to, issued on March 5, 1980, is something which had been made public earlier. It's a public document, so I see no reason why the requirements of the order issued at that occasion . . . Now I can either read it to the hon. member or I can send him a copy of it.

MR. MUIRHEAD: — Mr. Chairman, have you discussed any methods with Federal Pioneer or with the department for taking care of the removal of PCBs, other than the solution or suggestion I made in this House some time ago that we move them out to a piece of Crown land; that seems to have been picked up and has gone quite a ways. Is this still your suggestion? Are you still going to go by my suggestion? Have you ever discussed with Federal Pioneer any other methods?

MR. BOWERMAN: — Mr. Chairman, I did make at some earlier point, after the press conference with the National Research Council reported their findings, a public pronouncement that the department and the government would be following a six-step procedure with regard to the clean-up. That has been made public. I can send the hon. member a copy of the provisions, or I can read the six steps we would follow. We are pursuing those six steps.

MR. MUIRHEAD: — Mr. Minister, yes, we want a copy. Mr. Minister, you were answering earlier any question I asked you in connection with Federal Pioneer; and all of a sudden you cut off, boom, just like that. Is it because you are now in the courts with Federal Pioneer? It is my understanding that the public know. Talking to the manager of Federal Pioneer, the only thing that has happened to date that the public hasn't been made aware of (maybe you can't) is, I understand, that if they don't pay then you are going to sue them. And how could you have any secret or talk about courts when you don't have any idea what the dollars and cents figure is going to be. You haven't decided if you are going to build a retaining wall around the building. You haven't decided if you are going to purchase some land out at Bengough-Milestone, where we don't want it, or in Arm River, where we don't want it. We want you to put it up in your own area where it came from. You don't have a clue about the dollars and cents sign, and here you all of a sudden clammed up and are talking about being almost in the courts. And I have heard rumblings from the other side, it's in the courts. This is only because we were questioning just a little bit too much tonight; and you just went to a stall because someone with no authority told you to clam up. There is no one in this room who has the authority to tell you you cannot answer the questions. There is no one in this room who can tell me I don't have the authority to ask a question a hundred times until I get the answer.

MR. BOWERMAN: — Mr. Chairman whether there is authority in here or whether there isn't, good sense and good judgment suggests that one should not proceed on that line of answering those questions. I want to indicate that I sent the order which was issued on March 5 over to the hon. members. I thought they could read it, but apparently not. It reads as follows:

The Minister of the Environment of the Province of Saskatchewan, by this order do hereby prohibit Federal Pioneer Limited from discharging, depositing, draining or releasing polychlorinated biphenyls from those lands described as follows (and it gives the description of the lands) hereinafter called the said lands into the city of Regina storm sewer located parallel and adjacent to the most southerly boundary of the said lands or to, into and upon any lands immediately adjacent to the said lands.

The Federal Pioneer Company has appealed that order and by appealing the order has appealed to the courts that they will not proceed to do what the order requires. Therefore the issue is before the courts.

I suggest to you that the reason I ceased to answer the questions is because what we

were coming into were matters relevant to the issue of the courts. And I am not going to discuss it any further, Mr. Chairman.

MR. BERNTSON: — Obviously the minister had some reason to issue this order and the fact that the order was issued two months ago suggests that Federal Pioneer was in fact consciously and deliberately discharging, depositing, draining or releasing PCBs from the said land into or upon the lands immediately adjacent to the said lands or into the city of Regina storm sewers. Was that in fact true, prior to March 5?

MR. BOWERMAN: — No.

MR. BERNTSON: — Why then was the order issued if they were not consciously and deliberately, or even inadvertently, draining PCBs or discharging, depositing, draining or releasing PCBs from the said lands? What was the reason for the order if those things weren't happening?

MR. BOWERMAN: — I'm sure all members are aware — with as much information as they seem to have on other issues, they certainly ought to be informed with regard to the National Research Council report. You know what they recommended, and as a result of the recommendation which the National Research Council made, I have subsequently now sent to you the public statement I made with regard to the response of the government to the recommendation of the National Research Council.

I said the government, through myself, indicated that these were the steps we would follow in response to the recommendation of the National Research Council:

1. I have asked my officials to draft an order under The Water Resources Management Act directing Federal Pioneer to control run-off from the site.
2. Saskatchewan environment will not allow any new wells to be installed closer to the plant than existing wells until the downward migration is controlled or until we are certain that the migration patterns of PCBs at the site will not be affected by installations.
3. When potential safe storage sites have been identified, the department will initiate an environmental assessment review process on these sites.
4. When the storage site is selected, action will be initiated to have the storage facilities constructed.
5. When the storage facilities are constructed and adequate monitoring is in place, I will issue an order requiring Federal Pioneer to remove the contaminated soil under conditions specified by the consultant and approved by my department.
6. When the materials have been removed I will instruct Federal Pioneer to undertake the monitoring procedures necessary to ensure that the remedial measures have been effective.

Those are the six steps that we announced that we would take. We are proceeding on those six steps. The number one step, we were to issue an order. That order was issued as of March 5, a copy of which you have. That order has been appealed. The appeal is before the courts.

MR. BERNTSON: — Thank you very much. That's all very interesting but you didn't answer the question. The question was, prior to March 5 when you issued this order, to your knowledge, did Federal Pioneer discharge, deposit, drain or otherwise release PCBs from the said lands into the storm sewers of Regina or adjacent lands? . . . (inaudible interjection) . . . No, and I think it probably won't be tonight, Mr. Chairman. Surely, there has to be some reason for issuing this order. Anything you said in that neat little information package you set out a minute ago certainly doesn't justify an order like this:

Federal Pioneer is hereby prohibited from discharging, depositing, draining or releasing PCBs from the said lands into the city of Regina storm sewer located parallel and adjacent to the said lands or into or upon any lands immediately adjacent to the said lands.

Now surely there can be no just reason for issuing an order like this, unless in fact they had been discharging, depositing, draining or releasing or whatever, or otherwise conveying these nasty little beasts onto adjacent lands or storm sewers or etc. You talk about irresponsibility; you're being grossly irresponsible right now by not coming clean with this House and telling us why this order was issued.

It was you that went in there four years ago (not you but your predecessor) and put the pavement on the thing that makes it a little difficult to drain, discharge or otherwise dispose of these things. To say that prior to March 5 these things are before the courts is utter nonsense. The order was issued on March 5. On anything that's happened since then you may have a valid argument; I don't accept that, either. But certainly prior to March 5 your argument rings very, very hollow. I think you have an obligation to answer to this House for activities of your department particularly as they related to PCBs in Regina.

Mr. Minister, we'll be here until the cows come home until we find out: number one, why was the order issued? Nothing from your happy little Canada research council tells you to issue an order. You had to have some justification for issuing the order, unless it's just another of your big brother attitudes to beat them into the ground. You had to have some justification for issuing the order. You haven't given us that justification yet. I think you have an obligation to tell this House why the order was issued.

MR. MUIRHEAD: — He's not answering questions but that doesn't say I can't tell him something that I think. I think in closing time here I'd better just tell him a few things I do think. Mr. Minister, as I said before, we won't even call it Federal Pioneer. We'll call the government A, and we'll call Federal Pioneer B, because I said before I don't like to have to push this on to the taxpayers. You've admitted earlier tonight, Hansard will bear me out tomorrow, that Environment Saskatchewan did issue instructions that pavement be put over that PCB. You did it. Your department, not you, Mr. Minister, but the people before you. Federal Pioneer, we'll call them B, say they do not feel they should have to pay after you put the PCBs into a tomb because they could have removed it for \$1,000. They didn't know there was any danger about it. About \$1,000 was going to move 1,500 gallons of PCBs into the dump yards. But you knew the danger.

The Department of the Environment must have known that PCBs were dangerous chemicals. They must have known it or they wouldn't have put the pavement down. Federal Pioneer didn't know and you don't know. I asked you a question in this House a year ago. Is this going to go on until the PCBs get under the building? You're the

member who got up and laughed at the member for Arm River and said, oh, the soil is so heavy, come back in 100 years. It goes in an inch per year. One year later, look at the mess we're in. The manager from Federal Pioneer took me on a tour just about two weeks ago. He showed me a whole wall of transformers full of PCBs that could blow any time. What has your department done in there to see that those PCBs are removed from those transformers? They're piled up in there — dozens and dozens of them — and you made the statement in Hansard one year ago that there are no more transformers in Saskatchewan with PCBs in them. You stood right up here in the House and made fun of me and said, oh, you've washed your hands in hydraulic oil; you've used toilet paper with it in. You're the one who made joke of it. Well, I'll tell you, it's no joke now when we are around the \$3 million. I think it's a disgrace of your department and the government to try to make this outfit pay the \$3 million or whatever the figure is. It's a disgrace because you should pay every penny from the pavement on, every penny. Boy, if you come on my farm and tell me that I have a bunch of hydraulic oil spilled into the ground and you tell me for the first time it's a dangerous chemical, but you don't know what to do with it so you're going to cover it with pavement; then you come back when it's soaked into the ground when you can't burn it any more, you can't destroy it any more and you have to store it because you have too much sod in it now . . .

At the front of that building it's 35 feet deep at the very front corner under the cement. You are in a mess now that you can't get yourselves out of. If you knew enough to put the pavement there in 1976, why didn't you have enough thinking power between all your brains over there to remove it? What's the matter with the thinking of you fellows? Any farmer in this country would have enough brains, any Chinaman who runs a cafe would have know better than that — anybody. You could have gone up north and asked the native people who have never been education and they would have said, what do you do with the PCBs? Oh, don't leave it there . . . (inaudible interjection) . . .

MR. CHAIRMAN: — Order. I'm hearing some unparliamentary remarks coming from my right and I would ask the members to cease and desist on all unparliamentary remarks.

MR. MUIRHEAD: — Mr. Minister, tomorrow we're going to get into another subject. If you think this problem with PCBs at Federal Pioneer is finished, you can just think again because we are going to have some answers from you or have you prove to us why . . . Now, you did say it was in the courts, but why didn't you say that half an hour before? You prove to us it's in the courts. Bring us documents that show us it is in the courts.

But I can tell you I've got a subject here that we're going to spend another day or two on; that's the drinking water supplies in the province of Saskatchewan. I'm just going to open it up a little bit so you know what's coming up for tomorrow; just a little bit, just a little peek at the drinking water in Saskatchewan. As I said before, Mr. Minister, I consider you an honorable man. And I tried and I tried (and Hansard bears me out) to get you to inform every town, hamlet and village in this province how to go about testing their water by the two different methods. You wouldn't do it. But we met afterward and you agreed; and I trust a man.

You said you would let every village, town and hamlet know the two methods of testing water, the bacteria test and the complete comprehensive test. And this is very important, because I'm going to be reading to you letters from all over this province. I'm the one who wrote a lot of letters, got a lot of information, and it will come down in this House whenever estimates come back. I want to have you table your information because you must have done what I've done. You must have done the same thing because you promised me you would. I want you to be able to tell me what each town

told you about comprehensive tests and bacteria tests for the safety of water in Saskatchewan. (Oh, the member is shaking his head. He didn't do it. How could you not do that?)

Don't you believe we have to have an improvement in drinking water in Saskatchewan? I'll read you a little item from the paper. This is written by Paul Brettle of the Leader-Post. Some of the items I'm not going to inform you of until tomorrow, but listen to this one. It will wake you up overnight.

Saskatchewan is generally acknowledged to have the poorest water in Canada. In a survey of 10 capital cities, Regina was at the bottom of the list.

And you people sit there and say we haven't got any problems. It's also in here. We'll discuss this tomorrow. Paul Brettle wrote an article about the survey of 400 towns that I wrote letters to. I want you to be able to tell me what your tests were because you promised me you were going to do it.

Your government, if this water tasted like poison, would still say it is good.

The committee reported progress.

The Assembly adjourned at 10:01 p.m.