

June 27, 1989

EVENING SITTING

COMMITTEE OF FINANCE

Consolidated Fund Budgetary Expenditure
Environment and Public Safety
Ordinary Expenditure — Vote 9

Item 1

Mr. Chairman: — Would the minister introduce his officials.

Hon. Mr. Swan: — Thank you, Mr. Chairman. Sitting beside me is Peter van Es, the deputy minister of Environment and Public Safety; behind him Rick Knoll, director of administration. And in the back row — I'll introduce them and ask them just to stand so you'll know which one is which — Nick Surtees, executive director, public safety division; Larry Kratt, director, environmental assessment branch; Darryl Nargang, water quality branch; Larry Lechner, director of air and land protection branch; Ron Barsi, director of the mines pollution control branch; and Art Auser, the assistant director of Emergency Measures Organization. One that I didn't see earlier, Tom Galimberti, executive director, planning and assessment division.

Mr. Tchorzewski: — Mr. Chairman, Mr. Minister, let me join with the minister in welcoming the officials to the Assembly. I am looking forward to the answers that they will be providing for the minister.

I consider this to be a very important area that deserves a considerable amount of serious attention, and that's what I and my colleagues intend to do during the consideration of these estimates which, I want to indicate to the minister, that we're not likely to finish tonight because of the great amount of information that we will be seeking.

I want to, first of all, make some general comments, Mr. Chairman, and then in the process of doing that, I want to outline some of the major areas that I and my colleagues will be wanting to address and which we will be wanting to ask the minister about. I won't outline all of them, but some of the major ones. There will be many, many more that we will want to address during the process of these estimates.

Let me begin by making some general comments about the importance of the issue of the environment and environmental protection which I want to indicate here today. I don't think that there are many people around who would question that we are at a place in our history where very decisive action must be taken to avoid a general environmental disaster.

And I think that . . . Also, I would hope that most people would agree that political considerations, and strictly industrial considerations, must not any longer be the only considerations in the decision making of government, or the decision making of whoever is involved in determining what is happening in our society.

Waste created by modern society, ranging from industrial

waste to massive urban garbage, cries out for environmental management. Let's just consider one very salient fact; one that, I think, tells it all. There are now over 1,000 species on the endangered list, and the list keeps growing. Modern society and industry and government and the general public must take their heads out of the sand and realize that human beings may, in the not too distant future, be among that list of endangered species unless we get serious about this.

And I don't say this to be alarmist, Mr. Chairman; I don't mean it to be that way at all. One only has to look at recent examples to realize that we must recognize the realities of continuing economic development while at the same time considering its impact on the environment which makes it possible for us to exist.

And that is not to say, and I'm sure the minister will agree with me, that to be concerned about the impact of economic development on the environment is somehow being opposed to economic development. It's not saying that at all.

The reality is that economic development and environmental consideration must go together, and the new phrase that many are using is now called sustainable economic development. And it seems to be trendy to speak of sustainable developments so governments have begun to use it in their rhetoric and politicians have begun to use it in their rhetoric. And if an industry now publishes brochures . . . I get letters continuously from various corporations saying here's what we're doing in the name of sustainable economic development.

The problem, Mr. Minister and Mr. Chairman, remains that the next step beyond the rhetoric, to actual implementation of the concept, has not really taken place.

Now there's some important leadership that's beginning to be shown. The Brundtland Commission was widely recognized and got the attention of a lot of people. I think of the New Democratic Party in British Columbia which has put together a very comprehensive policy which addresses the matter of sustainable development. And I can say to the House, Mr. Chairman, and for the record, that a New Democratic government in Saskatchewan would be committed to implementing an equally comprehensive strategy to ensure that in providing for our needs today, we also assure that the needs of the future generations can also be provided for.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — We have to recognize that all forms of life, Mr. Chairman, are interdependent. Now this may not be the best and it may not be the most convincing example, but I think in its very simplest terms it really tells us something: even the mosquito, which we all deplore and despise, determines the existence of the swallow, whose beauty which we all admire.

Stability of ecosystems is dependent on their diversity. If we continue to destroy our forests without adequate forest management, or drain all our marshes, we

endanger our ability to maintain a balanced environment which provides the high standard of living that we enjoy. All non-renewable resources are finite, and there are limits to the growth of all living systems. And I speak here of all resources including agricultural land — renewable and non-renewable resources.

The recent wind storm in Saskatchewan, which we had several weeks ago, which saw topsoil saturate our air, had better be a lesson that steps have to be taken to conserve our soil, or our very ability to produce the world's food supply will before long be in danger.

I know, Mr. Chairman, that we are here to consider the estimates of the Department of the Environment, but I think it's important in so doing to indicate that an important function . . . what an important function such a department must play in our society today. If we continue to destroy the earth indiscriminately, that will lead inevitably to the destruction of ourselves. And with that in mind, I say quite readily that the lack of real concrete commitment by this government to environmental matters is a matter of great concern to all of us.

Oh I know the rhetoric is there; the fine words are there; the fancy brochures are there. The fine words are written in the throne speech. The budget speech was well crafted, I will admit to that, making old policies and actions appear like new initiatives, but when the fine words are put aside there is little real attention or initiative to be found — and when the questions are asked, Mr. Chairman, only an awful lot of mistakes and blunders. And I say this more in regret than in political criticism, although before we're done with these estimates I will no doubt become involved in the latter as well.

Political will is required here to accomplish what needs to be done in this area of government jurisdiction. When that political will is not there, then it must be pointed out; when a government's reaction to environmental concerns is motivated by the polls only, as is the case with this government, then we don't have an environmental policy, we have a political policy, and that is not good enough any more.

Mr. Chairman, before I get to the budget, which I want to briefly talk about, I want to point out two statements that have been made by two fairly prominent people, which I think tells something about the nature of the world out there today that we must be considering when we talk about the environment.

I want to point out some comments that were made by Guy Rivard, who is the minister for technology in the province of Quebec who spoke in Winnipeg recently, in which he said that:

Business and industry must also become rapidly aware that in the world scale, protection of the environment is becoming a new competitive factor.

So I say that this is not only something that should be important to government or political parties. I agree with the comments made by the minister, Mr. Rivard, that business and industry must also become very deeply

involved.

We must require environmental conscious technologies which discharge no waste, or only minimal waste, into the environment and which make maximum use of raw resources and combine the imperatives of environmental protection with efficiency and profitability (he went on to say).

And the other comment I want to refer to, Mr. Chairman, and some will say that this is a surprising thing to be made by someone in this position, but I was impressed the comments which were made at that same conference on sustainable development by Ian Smyth, president of the Canadian Petroleum Association. I can only assume that he meant it. But what he said was that:

For the first time, the Canadian business community has the opportunity to take a leadership role instead of taking a back seat in the area of sustainable development. (He went on to say that) Sustainable development needs to be applied rather than discussed.

And that's the point I've been trying to make in my remarks up until now. He went on further to say that:

Corporations willing to develop practical solutions stand to profit from their efforts. Canadian business can play a leading role in the integration between the environment and industry.

And I would encourage Canadian business and Saskatchewan business to play that role. I would encourage them not to follow the example of the government as is displayed by the Rafferty — as my colleague from Rosemont has often called it — boondoggle. That is not exactly the model that we should be encouraging industry and business to follow — in fact, quite the contrary.

Having said that, Mr. Chairman, again the very key to all of this is to the leadership that is needed from government. So now I'd like to begin with a comment and then some questions on an area which shows that the leadership from this government isn't there.

We had a budget speech. It seems like ages ago now, but that budget speech dedicated a whole section to protecting our environment. And as I said earlier, the minister even prepared a glossy-covered publication and I would only say about that that the money would have been better spent in the department's budget where it is sorely needed. But a close look at that budget, now that we've had so much time to do so . . . And that additional publication leads, I'm afraid to say, only to disappointment, Mr. Minister, and leads to a conclusion that the government is not really serious about environmental protection. The so-called bold initiatives, the bold new initiatives which we heard talk about, turned out to be nothing more than a repetition of already announced initiatives. They were neither bold nor were they new.

Oh, there was a statement about the PCB (polychlorinated biphenyl) storage, but that was set up in 1988 after a lot of public pressure. There was a comment on leaded gasoline, and that it will no longer be on the . . . that it will be taxed. But the fact is that it will no longer be on the market after December 1989 — I think I have the right day there — just a phoney kind of exercise, Mr. Chairman, the Minister of Finance flogging a dead horse. There was the announcement or the reannouncement of SARCAN recycling established, and what it was going to do, but that was established in 1988. There was a major announcement in bold, dark print in the publication of a five-year, \$50 million seedling reforestation program but that was a reannouncement from an announcement that was made in the 1988 budget.

Oh but there was another. This was really new. There was the rat control program replacing one which the Premier cut the previous year. And so, Mr. Chairman, what was announced as bold new initiatives turned out to be nothing other than reannouncements of old, worn-out programs and regurgitation of programs that have already been announced. It was nothing new. And we're going to ask a lot about some of those things in these estimates.

(1915)

And then, of course, there was an attempt to explain away the situation that happened with the Rafferty-Alameda project. But in spite of the budget speech's defence of this project from an environmental point of view, it ignored a lot of things, as the minister has continued to ignore. It ignored the fact that the government's own documents show, and I quote:

. . . that there would be net losses of deer, fur-bearing animals, and upland birds.

These are directly from minutes of a meeting of the operating committee of the Souris Basin Development Authority on May 2, 1986. In the knowledge of that, the government still got into league with the federal government in the granting of a licence, illegally, for the proceeding of the project.

It is clear from the studies that the government had that it would take 40 years for the reservoir to reach its full supply level, and even that's debatable — whether 40 years is enough, or whether it's the right figure. That was done by an engineering firm, Cochrane Lavalin, January 27, 1987. The government deliberately conspired to keep information about this project from the Government of Manitoba, the Government of Canada and the public. That's now been documented and shown. And the list goes on.

I won't pursue that further because we'll have an opportunity later this evening to spend an awful lot of time on this project, and I'm sure the minister won't be surprised about that.

Mr. Chairman, there is no comprehensive strategy, and that's the point we are going to make in the consideration of these estimates today and the next day. There is no comprehensive strategy to put into place the concept of sustainable development. The budget simply presents a

grab bag of recycled and reannounced ideas without the resources to back it up. There is no mention of commitment to adequate environmental impact statement process before any major project proceeds. And I'm going to make a proposal to the minister today, and I'm going to ask him whether he would agree that maybe that's something that the government ought to be looking at.

And so, Mr. Chairman, some of the areas which we're going to cover, I want to make it obvious to the minister ahead of time so he can be prepared. We're going to talk about the failure to proclaim The Clean Air Act to some degree under these estimates, but to a larger degree when we get to that Act. For two years we've had a new Clean Air Act, and the government failed to proclaim it.

We've seen what's happened at the Co-op upgrader where The Clean Air Act may have had some implications, but no Clean Air Act — at least not the new Clean Air Act, which I admit, was a far better piece of legislation than the old one.

There has been a lot of discussion about the possible diversion of water from northern Saskatchewan and the Saskatchewan River, down through the Souris Basin and into the United States. We're going to ask the minister to explain why he, on the one hand, is saying no, that is not being considered, but the minister of privatization, the member from Indian Head, on the other hand, is travelling the province promoting it.

The government's failure to develop an effective system for locating hazardous waste — we're going to talk about, we're going to ask the minister about at some length; the mishandling of the aluminum soft drink and beer, which has cost many, many jobs in Saskatchewan.

And the minister is going to get up and say well, but you should consider the jobs that have been created. The fact of the matter is that more jobs have been lost — good paying jobs in communities all over Saskatchewan — and there's been an environmental problem created because the level of collection of those aluminum cans is not very high, far from what it ought to be.

We're going to talk about what is being planned at the Great Sand Hills area, even though the government has before . . . a 1980 study which says what kind of devastating damage would be done there. But rather than paying attention to the study, the government has decided that oh, it's going to have the company, the Lone Pine Resources, do an environmental impact study.

I think I will stop because I think one of the members . . . the member from Canora wants to introduce some guests.

Mr. Chairman: — Why is the member on his feet?

Mr. Kopelchuk: — Mr. Chairman, I'd ask for leave to introduce some guests.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Kopelchuk: — Thank you, Mr. Chairman, and I thank the member from Regina North East for the opportunity. Mr. Chairman, up in the Speaker's gallery, we have with us, from the North Dakota senate, Senator Allen Richard. He's here with his family. They are touring the prairie provinces. They're on their way to Edmonton.

I had the opportunity to say hello to him a little earlier, and I would just ask him to stand. And I would also ask all the members of the . . . I wish you a safe holiday, and I ask all the members of the legislature to make them welcome.

Hon. Members: Hear, hear!

Mr. Chairman: — Why is the member on his feet?

Mr. Martin: — I beg leave to introduce some guests, Mr. Chairman, in the Speaker's gallery.

Leave granted.

Mr. Martin: — Thank you. We have in the Speaker's gallery, Mr. Chairman, from Sri Lanka, Jinasena (Kumaragama), and his family. Now Jinasena has given me permission not to try and pronounce his last name, and I appreciate that. Thank you very much. But at any rate, Jinasena is at the University of Regina studying the process and the procedures of the University of Regina as to enrolment, as to computer technology, and the general operations of the university. Would you please stand up, Jinasena.

And I'd also like to introduce his wife Leela, their daughter Lochana, who has completed grade 7 at Massey School, and son Jineth, who has completed grade 10 at Campbell Collegiate. It's a pleasure to have you here. Mr. Jinasena will be here for the rest of this year, till December, then he will be returning to Sri Lanka. And he wanted to come today because he knows how fragile democracy can be in many countries of the world.

And it's a pleasure to have the Senator here, as well . . . of the United States as well. At any rate, we're delighted to have you here.

By the way, my wife is also with them, my wife, Louise. So thank you very much for coming, and please welcome our guests.

Hon. Members: Hear, hear!

COMMITTEE OF FINANCE

Consolidated Fund Budgetary Expenditure Environment and Public Safety Ordinary Expenditure — Vote 9

Item 1 (continued)

Mr. Tchorzewski: — Mr. Chairman, let me also extend my greetings to the guests in the gallery, and join with the members who have spoken in wishing them an enjoyable stay and an enjoyable holiday here in Saskatchewan, and a safe trip home.

When I gave way for the introductions, Mr. Chairman, I

was about to come to what I was going to talk about in the budget itself and then ask the minister some questions. I was in the process of outlining some of the areas which we're going to be addressing in the consideration of these estimates.

I want to indicate also to the minister that the question of the mishandling of the situation at the upgrader is something which I will be asking the minister about and so will one or two of my colleagues this evening — the issue which should not have developed to the situation which it has if the government had carried out its responsibility in making sure that everything was the way it ought to be. I'm afraid that that was not the case. We will also be asking the minister about recycling and conservation and the fact that the government's announcements are far from meeting the requirements that should be met in today's age.

Now, Mr. Chairman, with those comments I want to now turn to the budget itself and I want to point out something for the committee and the members of the House and yourself, Mr. Chairman, which really shows the lack of real commitment of this government to the whole question of environmental protection. One only has to look at the budget and what's happened to that budget during the term of this government to get a very clear and concise picture.

This budget makes a number of statements for action, but when you look at the kinds of dollars and the kind of staff resources that are attached, these are not supported with the resources to make those statements for actions happen.

The funding and the staff in the Department of Environment have both been reduced in real dollars targeted for environmental protection since 1982, and here is the extent that they have been reduced. In 1982 for the Department of the Environment there was a \$9 million budget. There was a staff component of 138.5. For 1989-90, even though there is an \$862,000 increase — and that's not much of an increase, Mr. Chairman — we have a budget for the Environment of \$7.7 million and a staff of 105.3.

An Hon. Member: — That's less than the birthday party, Ed.

Mr. Tchorzewski: — And as my colleague here says, something which I was about to address, that is less, Mr. Chairman, than the total cost of the birthday party that this government is planning in order to try to get itself re-elected. Now I think they're beginning to realize gradually that it's no longer a birthday party; it may end up being a farewell party.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — But, Mr. Chairman, that is a very sad comment. These numbers are a very sad comment on where the government puts its priorities, if you're going to spend \$9 million — about the amount that the Department of the Environment used to have in 1982 — in order to try to get some public relations, to try to repair some political damage, but when it comes to looking after

the environment, they're going to spend \$7.7 million.

Now I know the minister is going to get up and he says, that's not right because look at the estimates; it's not what the final figure is. But before he does that I want to point out to him that in what I am saying here I have not considered those subvotes that include public safety because they've been moved into this department since 1982. And I have not included the Emergency Measures Organization because that has also been put into this budget since 1982 from the Department of Urban Affairs or municipal affairs.

So the bottom line in all this, Mr. Chairman, is that the government has not — although it has produced the brochures and has provided the fancy words — backed up any of that with the money that is necessary to get the job done.

Now, Mr. Minister, let me begin then by asking you this. How can you justify, having tried to make the kind of public relations statement that you and the Minister of Finance and the Premier have tried to make, how can you justify this major reduction in the funding for environmental protection in your department from 1982? And can you confirm the fact that there is less money for environmental protection — I'm talking about environmental protection in your budget now — than there was in 1982.

Hon. Mr. Swan: — Mr. Chairman, the member has made a fairly lengthy speech and has talked about a lot of different things. Let me start by dealing with just two or three of the items because I think some of them have so little relevance that they aren't worth mentioning here. But he talked in the very first initiative of the endangered species and that there are some thousand species that are endangered, and that's serious. This government has set aside almost 2 million acres of land in critical wildlife habitat, something that had never been done in the province of Saskatchewan before. That isn't done under our department, but it has been done by this government very definitely dealing with the endangered species.

The member will also recall that when we had a development begin at Redberry that had not been authorized, and there had been no environmental impact assessment, and that was a critical wildlife habitat area for a number of endangered species of water-fowl, that project was put to an immediate stop through the court process and is still not going ahead. So I think that we have shown that we are concerned and that we are doing things to protect endangered species.

You talk about economic development and sustainable development, and yes, this government has moved . . . and has moved a long ways in that area. To begin with, the round table on environment and economy that was established by our government brought together people from industry, people from the educational background of the two universities, native people, all of them interested in the well-being of our province and in the environment of our province. That round table is just beginning its work, but we have some very, very capable people on the round table, and I look forward to good things happening there that will indeed deal with the

subject of environment and the economy.

So the two will walk hand in hand in a sustainable fashion. That's the goal of the round table. They have a deadline of completing their work by the end of December of 1991, and I believe that they will do the kind of job we are looking for.

You talk about Rafferty approval, and that we didn't do a good job. Well you may make that statement, but I believe that the courts have not challenged what Saskatchewan has done. They challenged what the federal government did. So the Rafferty approval that was given . . . You speak about the mitigative measures. Well under the approval that Saskatchewan gave, all of the wildlife mitigation that must be in place will be in place. And perhaps the most money ever spent by any project in Canada to deal with mitigative measures is the way that this particular project is going.

You say that we haven't done anything in Environment, and I think that maybe the member needs to have his mind refreshed a little. You know, in the last year we did the chemical collection program that took potentially dangerous chemicals out of school labs and hospitals and out of homes. Some 15 tonnes of old, dangerous chemicals have been collected and are being disposed of. We put in place the hazardous substances regulations that took effect on April 1 of 1989. These will regulate the control and storage of hazardous chemicals.

(1930)

You take a very negative look at the beverage container recycling program. Yes, some people may have lost their jobs, but there are a number of people who never had jobs who have gained jobs. Many of the handicapped were not able to hold a job anywhere and have, for the first time in their life, been employed, and those people are extremely happy to have that opportunity.

As recently as a week ago I met one handicapped person who works for SARCAN. For the first time in his life he has earned enough money that he can live independently in an apartment, pay for his own accommodation, and pay for his groceries — a very contented and happy individual. And that's the case for a number of them.

Now the return rate is up to 52 per cent. That's not the rate that we would like to see it arrive at. But in one year to get to the return rate of 52 per cent is indeed commendable with the beginning of a brand-new program, and I look forward to seeing that rate increase, as SARCAN does, and I'm sure it will.

You say that the PCB storage facility was a last year issue. Perhaps. It was being built over the fall and the winter, and it was officially opened during this year. The first of March it was open for the receiving of the first PCBs from SaskPower, and in June open for receiving of PCBs from other industries around the province.

I can tell you that this province is out in the lead ahead of any province in Canada in taking care of its PCBs. Along with the storage facility, we have had the PPM disposal system working in Regina since 1985, and it continues to

work and is doing a good job.

We also have the coal-mine reclamation program that was put in place last year and continues to operate. And many of those dangerous mines have been filled in, and I'm getting nothing but good comments from the communities where the work has been completed.

Your government poured concrete over a vault of arsenic called the New Core Arsenic Vault. You were the experts at pouring concrete. You poured it over the arsenic, you poured it over PCBs. If you were in power, I suppose that's what you would have done again. But that's not the route that this government is taking. We have taken the route of solving a problem, cleaning it up, and finishing it once and for all.

Now you also say that we haven't spent or haven't budgeted as much money as was budgeted in 1982. And I would very much like to draw a few figures to the hon. member's attention. The total budget of the department this year is \$11,646,700.

An Hon. Member: — Take out Public Safety.

Hon. Mr. Swan: — When you take out Public Safety, which is exactly what I'll do for the lady if she'll just listen, it's \$2,678,200. Emergency Measures Organization is 398,800; Sask Property Management, for rent, 824,600; the Water Appeal Board of 103,600; and Executive Council members, 44,400. That list totals 4,049,600. If you subtract the two, then you come up with 7,597,100.

Now let's go to 1982. The total department budget in 1982, 10,104,900. Deduct the hydrology branch which has moved out of the department since then, deduct the water rights branch, deduct the implementation Qu'Appelle Agreement, and the treaty Indian land entitlement, and that amounted to \$4,384,090, which brought that budget in comparison to 5,720,810.

So yes there's a difference, but there's just about 2 million difference in favour of this year which is, I think, reasonably good. Besides that, we have indicated expending some funds from the environmental protection fund.

The government is taking a very serious look at environment, has put in real dollars, and has put in real programs that will address the environment for this year and the years to come.

Mr. Tchorzewski: — Well, Mr. Minister, let me just comment on some of the comments that you have made. Needless to say that I, nor I'm sure not many other people, are going to be impressed with some of the things you've listed when they compare them to some of the failings in the very major way that your government has shown in dealing with these kinds of issues.

You say that you're concerned about endangered species and you talk about some 2 million acres of wildlife habitat, but why don't you at the same time address the endangered species and in fact the species that are going to be potentially eliminated when the Rafferty-Alameda dam project goes ahead? You don't want to say anything

about that, Mr. Minister. If you want to get honest about this, then you want to face the facts, address both sides of the argument. You can't say on the one hand you're setting aside some habitat, but we're going to ignore the other side. That's one of the reasons, Mr. Minister, that's one of the reasons why the Federal Court of Canada ruled that the licence issued by the Department of the Environment of Canada was illegally issued because many of those issues had not been addressed.

Now you say . . . You try to say, oh we're clean. I am innocent, you say; it was the federal government's fault; I never had anything to do with it. There is nobody in this province who is going to believe that, Mr. Minister. Everybody knows that the issuing of that licence was a political decision cooked up between the Premier and the Deputy Premier and the Prime Minister of Canada, in which there was a trade-off made between a Grasslands park and the Rafferty dam project, and that's why environmental considerations were forgotten and that's why you further showed your incompetence and your mismanagement as a government.

Now you have a situation over there where work has begun, and the licence has been cancelled for no other reasons but for the political mistakes and the mismanagement of the Premier and the Deputy Premier. And you, Mr. Minister of Environment, were in full knowledge of it while it was happening.

You talk about the chemical collection program and about the 15 tonnes that have been collected and disposed of, but many of the things that you have put in here are not certain. The first load that went . . . of chemical containers, for example, to the United States, there was some danger that it might be sent back — sent back because they weren't satisfied that they were clean containers. It so happens that they weren't sent back, but when I get to that part in the questioning in these estimates, I'm going to be asking you about that, so I won't pursue it at great length here.

Now you boast about the beverage containers and how you've created jobs. Well, Mr. Minister, fine. Nobody is going to be concerned or object to the creation of jobs for handicapped people. That's laudable. But are you saying that this is the only thing that they're capable of doing? Are you saying that there are no other jobs that the government has attempted to create for these people except the picking up of cans and the crushing of cans?

How in Heaven's name, Mr. Minister, can you stand in your place and say with a straight face that it's okay to create jobs for these people by destroying jobs for these people? That doesn't make any kind of social or moral sense. It's good that you created jobs for one group of people, but it's not good that in the process you destroyed the livelihoods of a lot of other people who were raising families and had mortgages. Both of those jobs are important and both of those individuals are important. If you care to explain that, you might just go ahead and try to do that but that's another item in which I have some very specific questions to ask at another time, when we get to it.

Mr. Minister, you talk about the action you've taken on

the PCBs, but to this day there has been no announcement of a schedule of fees for the private sector, which they need to know in order to be able to dispose of these PCBs in your storage facility. If there has been an announcement, it's been done awfully quietly. I mean, this has been many, many months in which this has been happening and you're still sitting on your hands.

And I don't know who's supposed to make the announcement, whether it's you or the minister in charge of the power corporation, but that's irrelevant; it's a matter of government policy. It's a matter of government ability to deliver on what . . . something he says he is going to deliver. Mr. Minister, the fact is . . . You can try to explain it all you want. When you compare the same items in 1982 as are compared in 1989 — the budget in the Department of Environment — in 1982 the budget was \$9.9 million, in 1989-90 it's \$7.7 million, and you have a real cut both in the funding and in the staff for the Department of Environment, and that is not a commitment to doing the kinds of things you say that you're going to do.

Mr. Minister, can you explain . . . Can you provide a justification, how it is that the Deputy Premier can go to cabinet and get \$9 million for a birthday party which nobody wants? Saskatchewan Association of Rural Municipalities has told you, don't do it; seniors' organizations have passed resolutions saying they don't want it — and who should better know about celebrating the past then our senior citizens? The teachers' organization has said they don't want it. The Deputy Premier goes to cabinet, in spite of all that, and wins his argument and gets \$9 million and you go to cabinet and all you can get is \$7.7 million for the Department of Environment, for environment protection purposes. Can you explain that, Mr. Minister?

Some Hon. Members: Hear, hear!

Hon. Mr. Swan: — Mr. Chairman, the member talked a lot about Rafferty, and I think that I need to answer some of the accusations that the hon. member makes.

To begin with, there was no political trade-offs between Rafferty and Grasslands park. We worked on Grasslands park, as the member knows, for about a year and a half before we resolved the beds of the rivers as a water issue. When that was resolved then we got a licence for the Grasslands park. We got it in August last year.

And I think that was a major step forward that this government made in retaining the control of the beds of rivers and lakes and streams and still getting the park approval. That was something that took a lot of work by my officials. I think they did excellent work. That was the only issue that was outstanding on that park at the time and when it was resolved the agreement was arrived at.

When it came to the Rafferty licensing, we went through all of the environmental impact assessment process, the public hearings, the board of inquiry, and when that was all completed — and we spent many, many months doing that process — then we gave licence from our province for that particular project. And once it was licensed here it took an additional four months before the federal

government finalized its process and it licensed. But that had nothing to do with Rafferty . . . with the park. It was strictly Rafferty that they dealt with.

The federal Minister of Environment has told you that. I have told you that. I think the Deputy Premier has told you that, but if you don't wish to believe anybody I guess that's your privilege. Maybe the people who usually don't believe are the people who are not trustworthy themselves. So you can kind of take it from that angle.

Now you talk about the protection of the endangered species. You know in the federal report they talk about the ferruginous hawk. During the time that that Rafferty study was being done they hired specialists that went into the field and studied every square foot of ground that would be flooded by that particular dam, and there was no place in that whole area that they were able to find one nest or one bird of the ferruginous hawk.

An Hon. Member: — That's not true and you know it.

(1945)

Hon. Mr. Swan: — That is true and that's the case and it's reported in the study. Now if you want to talk about some of the other species, many of them have not been there in a long, long time. So you can make the accusations. I think the example that probably best relates to how little thought was put into the federal report . . . When you talk about the destruction of fish habitat in a river that's a flood river, there is very, very little fishing, and they talk about destruction of fish habitat.

They talk about destruction of navigation; you know, how are you going to destroy navigation on a river that's a flood river and is dry a good portion of the year? It's not a navigation kind of a river. So it shows me that you had somebody sitting in Ottawa writing a report, that has never seen the area and had no concept of the type of river he was writing the report about. So I'd be pleased to deal with that issue at any time.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — And so you shall, Mr. Minister. In fact you shall deal with it yet tonight, and it may carry over on to another day or another night. I want to point out to you, Mr. Minister, and something that you should be aware of, for your own good, is that there was a Minister of the Environment of Canada prior to the last federal election with the name of Mr. McMillan, and he played with the environment, and he played and tampered with the rules governing the environmental assessment process of the federal government, and he was defeated for that.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — And either, Mr. Minister, you have decided that you're not running again or you should be preparing yourself for having exactly the same thing happen to you. Because the public with its great concern will no longer put up with this kind of nonsense from politicians like yourselves and the Premier, who tamper with the environment without . . . simply for the purposes

of building monuments to themselves.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — Building monuments to themselves, rather than providing projects which show that there is some economical viability and economical purpose.

We're going to ask you some questions about the alternatives that your environmental impact study talked about. It didn't talk about any. That is no way to do an environmental impact study, Mr. Minister. So we're going to get into that. I'm not going to get into that now because I have some other things I want to ask, but before this night is over I can tell you we're going to get into that, my colleagues and I.

I want to do one more area in which I want to ask you some questions on your budget. There has been a lot of discussion in the last couple of days about The Air Pollution Control Act. You have an air pollution control division in your department, but in your budget this year, and I think last year, there is no longer any subvote which indicates the number of personnel that you have in this particular area. Can you inform the House, Mr. Minister, the number of personnel that you have to administer this portion of your legislation, the air pollution control area?

Hon. Mr. Swan: — The subvote that would deal with that is in air and land protection, and there would be five people. The two are combined.

Mr. Tchorzewski: — Air and land protection. In other words you've combined two areas and put them into one, and you've got . . . How many did you say, 5.5?

An Hon. Member: — Five.

Mr. Tchorzewski: — Five people. Well, Mr. Minister, another example of the kind of priorities you've shown. In air pollution control in 1984-85, there were eight people. Eight people, Mr. Minister, in fact it was 8.2 personnel that were provided for this particular important area. Since then you've got a major new piece of legislation called the new Air Pollution Control Act, which you have not proclaimed, but hopefully will in this year, finally after two years of ignoring it, which will require a lot more administration because you're going to have to go back to industries that were not previously covered under this legislation.

Are you trying to say, Mr. Minister, that you are going to be able to do that with five people when it took 8.2 people to do that back in 1984-85? How can you explain that, Mr. Minister? It's less money, and there's less personnel, and you've got more work to do.

Hon. Mr. Swan: — When you go back to the period that you speak of, the assistant deputy minister and the assistant deputy minister's secretary were paid out of that subvote. They are not at this point in time. For that reason there is no change in the number of staff in that department. They're exactly the same.

Mr. Tchorzewski: — Mr. Minister, I think you're trying to play games here. Yes, you are. You say there's no change

in staff. Even if I took you at your word, and I'm not on this particular one, Mr. Minister, because I've gone long ways from being able to trust what you say any more . . . I regret to have to say that. But with 8.2 staff in 1984-85, if you take your assistant deputy and his secretary — that's 2 people — that's still 6.2 people. You now only have five. How can you possibly justify what you have just said, that is that there is exactly the same number of staff? What kind of game are you playing here?

Hon. Mr. Swan: — I'm giving you the answers that my staff gave me, and what they are telling me is that at one time they had two director. Now they have one director, and that director works in the air side, so it's the same number.

Mr. Tchorzewski: — So are you saying, Mr. Minister, then, that there is a reduction in staff in the area of air pollution control?

Hon. Mr. Swan: — They advise me that there is absolutely no change in the staff.

Mr. Tchorzewski: — If that's the case, Mr. Minister, I would like your staff to provide for me for our next estimates — because it'll take too long to do it — the positions in air pollution control in 1984-1985 and what their role was, and who filled those positions; and the positions in 1989-90 being proposed in these estimates, what their function is, and who they are — all of the positions. I'll be able to figure out how many they are from that 1984. And I'm talking about air pollution control, Mr. Minister, not adding some other items such as what you mentioned, I believe it was land or . . . whatever it was. I'm talking about the same kind of category as there was in 1984-85. Will you give me an undertaking to provide that for me when we consider these estimates next?

Hon. Mr. Swan: — Yes, we'll provide that.

Mr. Tchorzewski: — Thank you. Now, Mr. Minister, for the sake of time I'm going to leave that, and I may come back to some of that later. I want to now address something which has been of a lot of concern as late as yesterday, and that is the situation at the Co-op upgrader.

I simply want to begin by saying that if your government and you as minister mishandles the situation as badly anywhere else as you have with the Co-op upgrader situation, I think there is good reason for people to be very concerned about the implications of that.

Here you have an upgrader, the NewGrade upgrader which your government funded, in which your government is a major actor, in which your government has a great deal to say.

And here we have a situation where over a period of time since the NewGrade upgrader began to operate, you took no steps, you took no steps to try to get the problems rectified until earlier this year. There were a number of incidents that became public and then public pressure forced you to act.

Now what did you do? When a plume of dangerous gas

settled on a school yard, and the health of children was threatened — in fact, some children became ill; I know some of them, they're in my constituency — you showed great indignation and you said, this is going to be something that I will not put up with, and we're going to do something about it.

And then the next day, Mr. Minister, you backed off. You backed off and you weren't that tough any more; sending a signal to industry everywhere that they can take all kinds of risk, because on the first time around they're going to get away with it. A terrible mistake on your part.

And then following that, and shortly later, there was another incident, in fact, several of them, and you decided to get tough again and you finally laid some charges. Now that's a \$5,000 fine, I believe. I don't know what the result will be, and if you care to explain what the result might be, we'd appreciate that.

But I mean that's peanuts and that's not the issue. The issue is, Mr. Minister, that all the months in which there have been incidents happening here, you did absolutely nothing. As a matter of fact, you didn't even inform the public that this was happening at the upgrader. That's your responsibility.

Now between April 2, the last incident, and yesterday, there seemed to have been a lull. I want to ask you, Mr. Minister, were there any other incidents between April 2 and yesterday reported to your department, which was not made public?

Hon. Mr. Swan: — I'm advised that there's been no incident from April 2 to now; that the refinery has had start-ups and shut-downs of different pieces of equipment that they were not satisfied in their own operation that they were doing the job the way it was supposed to. But there have been absolutely no incidents occurring that should have been made public, that have not been made public by the refinery itself.

Now the member says that I should make things public. I would like him to draw to my attention one issue that has not been made public. Every one of the spills has been such a public issue that it's been in the papers, on television, I think to the point of embarrassing the upgrader management to the point that they almost phone the department for no reason.

Now we have met with the management of that refinery, and I believe have a better working relationship than has ever occurred with any industry. They've had many difficulties in the start-up process and in the earlier spills. Accidents that occurred there they didn't even notify the department for three or four hours; now we get a notice within four or five minutes. At least that's a step in the right direction.

The refinery has brought back its design engineering staff, and they are working back through to follow the whole process to see if there are any shortcomings, and they have been checking the welds, checking the types of pipe, checking equipment, checking the monitoring equipment — all those things are being done. And my staff have worked very close with them to be sure that

those things are being done.

As well, since the plume of gas was spewed out on February 27, my staff have gone and put in additional monitoring equipment, so that we keep better tabs on what's happening. Now it's hard to have enough monitors, perhaps, to cover everything inch by inch, but I believe that the site is covered adequately at this point.

(2000)

I am actually very pleased with the work that the staff from the Department of Public Safety have been able to do. Now the accident that occurred yesterday, the furnace is still so hot that they can't go in to do the inspection. They've been advised that perhaps tomorrow by 10:30 it will be cooled back enough that they can get in, but you can't go in to a furnace that's at something like 5,000 degrees Fahrenheit. You have to wait for it to cool, and that's what they're waiting for.

They will be working very closely to be sure that before that furnace is started up again, everything has been corrected right back to new condition. There's a lot of damage, and the refinery indicates that they're going to have to do a major retooling in that particular furnace.

Mr. Tchorzewski: — Thank you, Mr. Minister. I'm pleased to hear you say that there were no reports of other kinds of incidents like spills and minor explosions and gas leaks and so on between April 2 and yesterday where we heard of the last . . . the most latest incident. And I'll take your word at that for now, Mr. Minister. That's what I heard you say, and I hope I'm correct in that.

Mr. Minister, you keep saying that there are always start-up costs, but Mr. Minister, this project is now in its eighth month of operation. I mean, you can't talk about start-up for an infinite period of time. One would think that after eight months that any kind of an industrial set-up would have been past the point of start-up. So I don't think that that's a very good justification for what's happening any more, Mr. Minister.

I heard you say . . . Correct me if I'm wrong, but I heard you say that there has been additional monitoring that has been put in place. Can you explain to the House, Mr. Minister, and through the House to the public, what additional monitoring has been put in place on the ground, on the stacks, or wherever you've got them, or outside of the facility. Can you give us information on that.

Hon. Mr. Swan: — We put in one new monitoring station in the Ross Industrial Park area, and two monitors: one that monitors sulphur dioxide and the other one, hydrogen sulphide . . . (inaudible interjection) . . . Yes he says in the Ross Industrial Park area.

Mr. Tchorzewski: — Thank you, Mr. Minister. Now this will detect any kind of gas leak, sulphur dioxide or other, which may come out and settle somewhere. But can you explain how you're able to detect, or how the upgrader's able to detect a gas leak which may come out of a stack and float through the air for several blocks or a mile and then land somewhere. What system have you got in place

to check for that?

Hon. Mr. Swan: — I'm advised that the refinery has monitors on their chimney, and if the releases from that chimney exceed norms, then there are alarms that sound and that identifies that there is a problem and they address it manually from there.

Mr. Tchorzewski: — Is this a recent installation, Mr. Minister, because on February 27 when there was the 20-minute leak of hydrogen sulphide which drifted and then settled on Henry Braun school . . . I don't whether it came out of the stack, but somehow it was not detected because nobody knew about it till it settled.

Hon. Mr. Swan: — I am advised that that spill came from a malfunctioning valve, so it would not have been picked up by the chimney monitor.

Mr. Tchorzewski: — Well that's interesting, Mr. Minister. So therefore what steps have you taken to be able to detect a similar kind of leak that may occur in the future? Hopefully it will not, but that is not the point — one should guard against it. Knowing that this is where the leak came from, what monitoring set-up have you got in place . . . Or I shouldn't say "you." What monitoring set-up have you required to be put into place at the upgrader in order to be able to detect that if it every should happen again?

Hon. Mr. Swan: — Well I indicated to the member that we have the monitoring system that has been installed. The upgrader also has monitors around the site. So those will have to be the method of identifying spills that occur, gas leaks that occur, other than the ones that would be released through their stack.

Mr. Tchorzewski: — Will this system that's in place be able to detect the kind of leak we had on February 27?

Hon. Mr. Swan: — If the wind is in the right direction so that some of it would go over, yes. We can never identify every direction. You could go in between the two monitors, I suppose, but there are enough monitors that I believe it will pick it up under most circumstances.

Mr. Tchorzewski: — Mr. Minister, I find that hard to believe. You say that there is a new set of monitors that has been installed in the Ross Industrial Park. Good for that. But even had those monitors been there on February 27, they, as far as I understand, would not have detected the gas leak that settled on Henry Braun School. What has been put into place to be able to prevent that kind of an incident from happening again, Mr. Minister? Will you please explain that.

Hon. Mr. Swan: — My staff advise me that those monitors would have picked that leak up, but they were not installed at that time. They were installed after that, in March, and those monitors would have picked that leak up.

Mr. Tchorzewski: — Well, Mr. Minister, I guess I'll just have to take your word for it and hope that something like this doesn't happen again.

I want to ask another question related to this. Clearly we have seen evidence . . . First of all, before I do that, I want to say that I think, as you have said, I agree, that the people involved at the upgrader, the management, have improved their systems a great deal in the reporting. And I want to commend them for it, as I did the other day. And I think the city of Regina, the officials and the fire department, have done that as well.

But the fact is that the incidents which we have seen show that there is some potential danger here unless all of the precautions are taken. And you can never totally prevent an accident, but every step that's available should be taken to prevent it to the extent that is possible.

If there happens to be a major explosion — or some other kind of incident, Mr. Minister, that may cause some danger to the population in the area or the population in a wider area than just in the immediate vicinity — what measures do you have in place for your Emergency Measures Organization to be able to evacuate if that were necessary?

Hon. Mr. Swan: — The city of Regina has its own emergency measures group in place. Now they would work, to some extent, in the training process with our emergency measures staff. But a city this size does have its own emergency division and it's in place and its people are trained, and in fact, they were on site yesterday.

Mr. Tchorzewski: — Mr. Minister, you haven't answered my question. Have you satisfied yourself that the Emergency Measures Organization system in place is capable of evacuating people to the extent that may be necessary if such a situation should happen to present itself? Have you satisfied yourself, as the minister in charge . . . The city of Regina probably has an organization in place but you, as the minister, are the minister responsible and you ought to be in a position to satisfy yourself that it's in place. Can you tell us to what extent you're satisfied and explain the operation that's available.

Hon. Mr. Swan: — The director of the emergency measures branch of our department has worked with the city and advises me that the city has the organization and the people in place to do the job. So I am satisfied that that has been taken care of.

Mr. Tchorzewski: — Thank you, Mr. Minister. You indicated yesterday, I believe it was, that there was an engineering firm that the NewGrade upgrader has brought in to look at the situation. Are you going to be getting a report on what the findings of that firm are so that you know what the problem is, and if you do, when you do get that report will you make it available, Mr. Minister?

I want to make sure the minister hears me. Sorry, Mr. Minister. Will you make that report available, and along with that report will you provide a statement of the measures that are going to be put into place to deal with the problems that are brought forward?

Hon. Mr. Swan: — I can simply advise the member that the engineering firm is employed by the company; they

will do the evaluation. Now we have asked for a copy of the report, but I wouldn't want to indicate to you tonight that I would have the liberty of making that report available to you even if it were provided to me. I would have to get approval from the upgrader management before I could make that commitment. I couldn't make that tonight.

Mr. Tchorzewski: — Well, Mr. Minister, I'm trying to understand that and I think I do, although it's not easy, because this has been a sad . . .

An Hon. Member: — For you I can understand why it isn't easy.

Mr. Tchorzewski: — Well, the minister from Regina South, if he wants to ask some questions, Mr. Chairman, I'm prepared to give up the floor so he can ask the minister some questions.

Mr. Minister, this has not been a very pleasant saga. It's been difficult for the upgrader people; it's been difficult for the residents of Regina who have expressed a great deal of concern to me and my colleagues. I don't understand why the refinery would not want to inform the public about the difficulties and how it's going to deal with them.

Mr. Minister, will you then undertake to make that request of the refinery on behalf of this legislature, and report back. If we don't get the response back next time we consider estimates, report back as soon as you can in a letter to me indicating what you have found out to be the response to your request.

Hon. Mr. Swan: — I've asked the . . . My staff have asked the upgrader for the report of the engineering firm when that would be completed, and I don't know what time frame we look at. Following that time, if they give the report to the department, then I will ask for permission to release the information. And if that's available, I will release it to you, but I can't promise that that can be done until I get clearance from the refinery staff.

Mr. Tchorzewski: — Except that, Mr. Minister, I'm simply asking: will you now, since you already have a commitment that you will get the report, will you now, so that we don't have to wait months from now — I don't see any reason why we should — will you now undertake to approach the upgrader people to ask them if you can make that report available when you get it? I don't see anything inordinate about that.

Hon. Mr. Swan: — I don't see anything difficult about asking them now or later. There is no report at this time to receive. They're still doing . . .

An Hon. Member: — You may forget later.

Hon. Mr. Swan: — No, we have good memories. They're still doing the study and it will be some time. You may wait several months before the report is complete because I have no concept of what stage they're at in that study. So yes, we will ask the refinery if we can release the information when it's available, but that will take a little time.

(2015)

Mr. Trew: — Minister, you and I have had this discussion before about the upgrader facility. I had no idea at the time just how serious the problems . . . You know, on previous dates I had no idea how serious the problems were going to become for myself and for the constituents I represent, primarily from Uplands and the north end of Churchill Downs.

The upgrader has been plagued with so-called start-up problems, as my colleague from Regina North East has pointed out very well. There is, according to a *Star-Phoenix* April 12 article, and I'm quoting:

There have been at least eight major incidents at the combined refinery and heavy oil upgrader this year.

And that story was filed on April 12 of '89. Eight major misfunctions is reason to be concerned.

We have seen the hydrogen sulphide spill February 27 over Henry Braun School and some children were affected there — fortunately not, we think, too seriously. They don't seem to be suffering continued ill effects. March 28, we saw the oil droplets, and according to the reports that I have, there were claims filed from as far as 2 kilometres away from the refinery site, which is a long ways.

And I guess what frustrates me about that March 28 spill, if you like, spill of oil droplets into the air that settled in the neighbourhoods, is that it was never — I shouldn't say never — it was not reported until well after the fact. I believe you were already started your investigation when it was reported. That was March 28. April 2, you had the hydrogen plant fire, and problems just continued to go on and on and on.

I am wondering what you are doing other than . . . I've heard you say that the engineers who designed the refinery in the first place are checking their plans to see if they can identify any weaknesses. Is there anything else you are doing to deal with these ongoing problems in a preventative fashion rather than always dealing with an accident after the fact? What are you doing to prevent these continuing problems?

Hon. Mr. Swan: — Well my staff have had a number of meetings with the upgrader staff. We have our inspection people working whenever there is need and making spot checks periodically to be sure that things are operating fairly.

But I think the biggest direction that I can indicate to you that is being taken to avoid future problems is that they have brought back the design engineers, and they're not just sitting in the office looking at the plans; they're looking at the actual plant. And they're checking the welds, they take pictures of the welds to be sure that they're good. They're doing a lot of work on site. And that is the method, I believe, that will gradually clear up any problems and make it so that the plant will operate without further incident.

Your colleague mentioned that he thought eight months was sufficient time for start-up. At the time that the upgrader announced its start-up, they indicated even in their opening comments at the start-up banquet that they anticipated that the start-up phase would take a year or more.

So I think that for most of us, we're not familiar with that size of operation and perhaps we are impatient, and I know I'm impatient to see the thing up and running without incident. I had hoped after April 2 that we were heading down that pathway because we'd had a fair stretch of good operation. But, unfortunately, the incident yesterday has marred that good operation period. Hopefully, this will be the end, but there are no guarantees in that business or in most industries. It was an industrial accident yesterday; I hope that's the last one that we're going to experience.

Mr. Trew: — Well, Minister, naturally we are concerned. Were you told before the upgrader was built that these start-up problems that were going to take a year were anything other than problems with getting the flow up to speed? Were you told that there was likely to be fires, explosions, poisonous gas leaks, that sort of thing? Were you told that before the plant was built?

Hon. Mr. Swan: — Of course that was not the case. They simply said that the start-up phase would take a year or more, but they didn't indicate the kind of concerns that they had. I think that most of us expected it would be a matter of co-ordination and ironing out the operation methods, not expecting the kind of explosions and fires that they have experienced.

Mr. Trew: — Well, Minister, I've got a constituent of mine who has suggested that before you enter a big operation like that you measure it twice, then you cut the deal when you're sure of your measurements. In your political haste to announce an upgrader in the pre-election period — I'm talking of course pre the 1986 provincial election — in your obvious political haste you just signed the first deal that was available to create some jobs. And we welcomed those jobs, but, quite frankly, at that time I had a little more faith in the government than I have now. It very much distresses me. For the member from Regina South, I had a little more faith in most of the members of the government than now . . . (inaudible interjection) . . . You're welcome. But it is very clear, you're telling me tonight, as I understand it, that they didn't indicate to you the types of start-up problems that you were apt to have. Why, my question then is, would you build right in with residents on two sides of the upgrader, and the largest city in Saskatchewan right there? Why would you not have moved the upgrader? Even 5 kilometres would have helped, 10 kilometres out would have helped. The jobs would have still been in this area. It's a simple matter to build a couple of pipes between an upgrader and the existing refinery to refine the heavy crude.

I recognize, Minister, there could have been some technical problems, but technical problems or not, you can't replace human beings, and the way this operation has been going, we're starting to wonder when is it going to stop. Is it going to take, God forbid, a death, or more

than one death? I'd like you to respond.

Hon. Mr. Swan: — Well the member indicates that the engineering design was done in a hurry-up fashion, and that's not the case. That engineering firm was hired because of its expertise in the field that it was asked to work in, and they took all the time that they needed to develop the design that was satisfactory to the upgrader staff and the board of directors. They were not rushed in making that decision.

As far as the location is concerned, that location was designed by the upgrader engineering firm as being the proper location to connect the upgrader to the existing refinery. The engineering techniques, whether they could have moved it 5 miles or 10 miles or whatever, I'm really not capable of answering. I wasn't involved in that process at all, but the design engineers and the refinery operators selected the site and approved the design. I had no input into that process.

Mr. Trew: — Minister, I'm not terribly satisfied with that, but I suspect that if I ask the same question in different words I would get an answer that would satisfy me no more than I am right now.

I want to turn to . . . You were talking about the chimney monitor earlier with my colleague from Regina North East. Tonight you stated that on the February 27 spill that that resulted from a faulty valve and the gas did not go up the incinerator stack. Am I correct in saying that's what I heard earlier tonight?

Hon. Mr. Swan: — Yes, that's right.

Mr. Trew: — Would you please explain then where that gas leaked from. I hear a faulty valve. Can you explain it in a little more detail for us.

Hon. Mr. Swan: — No, I don't have that kind of detail here. The inspectors that would have inspected that would be field workers, not the staff that are with me tonight.

Mr. Trew: — Can you tell me, Minister, where the incinerator is in respect to the stack?

Hon. Mr. Swan: — I'm advised that the incinerator is in the south-east side of the operation and it's visible by a red and white stack that comes from it. So if you're looking at the plant, you can probably identify it by that.

Mr. Trew: — That is the stack that burns off . . . that any gases that are unplanned for burn off through the incinerator and up the stack. Am I correct?

Hon. Mr. Swan: — I'm advised that the incinerator is the final clean-up of the residue after the sulphur extraction. The other kind of gases that are flared off come out of the main flare stack. That's the highest one of the bunch there.

Mr. Trew: — So where would the hydrogen sulphide . . . Which stack would it come out of, through the incinerator stack or this other stack that I hear you talking about?

(2030)

Hon. Mr. Swan: — I'm not a refinery expert, and I think many of these questions would be better if you had asked them at the meeting that we attended out at the school where you had the proper people there. But I'm advised that the excess gases that are released are burned in the flare stack; that's the main stack.

It would be burnt up in the flare stack and there would be no hydrogen sulphide get out; at least that's what they indicated to us at the meeting at the school that the hon. member and I attended. The technical operation of an upgrader is certainly beyond the scope of the Environment estimates. I think that that kind of questions would have to be asked to the staff of the upgrader.

Mr. Trew: — I appreciate that these questions would be better off put through to the staff of the upgrader. The meeting that you and I attended in Uplands, in the heart of my constituency, I regret to say, I found out about quite by accident. I was at another function in Uplands the day before and I found out about that public meeting.

If I could urge the NewGrade upgrader people to do one thing, it would be to be more open. I know Councillor Wells has indicated . . . And I have a newspaper article here where he wants better dialogue with the upgrader. I spoke yesterday with Councillor Wells on that very issue. He tells me that nothing has particularly changed. That I find regrettable.

Just to drive home that particular meeting, CKTV was, as you know, turned away from that meeting, and I found that quite, quite strange. I would have also asked some different questions at that meeting, had I known about it some time in advance other than simply one day. That's why I'm asking you those questions here today because that seems to be where I can get some semblance of an answer, and take that as a backhanded compliment if you will.

Anyway, there are no end of problems and it's obvious, Mr. Minister, that there are no end of problems. I cannot urge you strongly enough to make sure that you do what you can to see that there are no future problems. But also of concern, what are the plans of the EMO (Emergency Measures Organization) in terms of evacuation? Do you have any statistics on a worst-case scenario? If a hydrogen sulphide tank were to blow up, how many people's lives would be jeopardized? What is the radius of the problems? How does the fire department handle it? Those are some of the concerns.

I don't expect a detailed response to that, but I would appreciate hearing your response to some of those concerns, particularly the EMO concerns. And that will conclude my questioning, hopefully, on this matter. Thank you, Minister.

Hon. Mr. Swan: — I'm advised that the city has emergency measures plans in place that should be adequate to meet any emergencies, and they've certainly had opportunity to upgrade those plans if they were in doubt at all because they've been called out several times

now. Maybe this is like a fire drill for them; at least they're increasing their capability. We hope that they've finished their practising and that they're ready.

Ms. Atkinson: — Thank you very much, Mr. Chairperson. Mr. Minister, I suspect that you know what I'm going to talk about because I've talked about this subject with you and your officials for the last two estimates. So I guess this will be the third time I've raised this issue, and that is the issue of the site at 620 Main Street, a site that is owned by the city of Saskatoon, and this site contains PCBs.

Now after the incident in Quebec last summer, early fall, in my view your department, or your government, moved very quickly after people like myself and other community people brought to your attention the whole problem of PCB storage sites around Saskatchewan that weren't properly monitored and weren't properly maintained. And your government's response to that was to set up a site at the Boundary dam.

And I want to congratulate your government for taking that initiative on behalf of all of us in Saskatchewan because I think it's important that while we search for a long-term solution to this problem of PCB contaminated material, we have to also have interim solutions.

Mr. Minister, as you know, the site at Boundary dam was to start taking private PCBs as of June 1 of this year. And, Mr. Minister, you also are aware that sometime after the June 1 deadline that the Saskatchewan Power Corporation had not yet established a fee schedule in terms of what it was going to cost those private holders of PCBs.

Now I understand from you verbally that this schedule has been developed, and I would like you to bring me up to date on when I can expect, and the people that I represent, the citizens of Saskatoon Nutana and the city of Saskatoon can expect, that the PCBs that are stored at 620 Main Street are in fact moved to that site at Boundary dam.

Hon. Mr. Swan: — As I reported to the hon. member before, SaskPower has been working to develop the fee structure, and I was given to understand that the fee structure was ready, and I still believe it is ready and should be out to the public now. Now whether they've received it I don't know, because that is a SaskPower operation. It's not one that we are actually, directly involved with, but SaskPower has indicated that they will be taking product from sites around the province this summer. I had thought they'd be in process now. I don't think the first shipment has gone yet, during the month of June, but it should . . . (inaudible interjection) . . .

They will be taken from cities and other places in the very near future. SaskPower will handle the product right from one site to the other, under the hazardous goods transportation system, but they will be entering into contract with the city of Saskatoon and with others on the disposal costs — that sort of thing. And to the best of my knowledge, this program should go rather quickly forward, and hopefully during this summer we will have most of that taken care of.

Ms. Atkinson: — Mr. Minister, I realize that SaskPower is in charge of determining the fee schedule, but I also know that your Department of the Environment has had contact with SaskPower and has, in fact, had contact with the city of Saskatoon over this issue.

My concern, Mr. Minister, is this: as a result of the public not yet being aware of what that fee schedule will be, and as a result of what are some issues in terms of liability costs should this material go up in flame at Boundary dam — and there are a number of owners of that material spread throughout Saskatchewan — obviously there are some liability issues. My concern, Mr. Minister, is that if this fee schedule is so large in cost, it is possible that the fee schedule could prohibit certain owners of PCBs from, in fact, moving their material to Boundary dam. It could act as a deterrent.

Now as a result of Tom McMillan's . . . the former minister of the Environment's legislation regarding PCBs, the city of Saskatoon acted very quickly to bring the storage sight on Main Street up to standard, and in fact I think it goes on beyond the standards as established by the federal government. My concern, Mr. Minister, is that that material could be stored there for ever as a result of the city of Saskatoon meeting the requirements. If your fee schedule is so outrageous or so horrendous or prohibitive or acts as a deterrent, we're still in the same position we were in last summer and the year before and the year before since the mid '70s, that we have PCB materials stored in a residential neighbourhood. And I'm wondering, Mr. Minister, if you could bring the schedule to the legislature tomorrow in order that we can take a look at that schedule.

Hon. Mr. Swan: — I actually don't have that fee schedule. That's being developed by SaskPower, and they're working with the cities. They indicated to me that it was developed. I haven't really got a copy of it, so I don't know whether I can get it or not. We can attempt it, but I believe that you could ask the minister responsible for SaskPower in his estimates.

Ms. Atkinson: — Well, Mr. Minister, I've had a discussion with the minister responsible for SaskPower, the Deputy Premier, and you and I have had a brief discussion on this issue. And, Mr. Minister, you're the minister responsible for the environment. It is because of the federal regulations that we're in a situation in Saskatoon where we have a storage site that does meet the requirements, but we may not have that material moved to Boundary dam because of the fee schedule.

And so I am simply trying to state to you, Mr. Minister, that it's incumbent upon your government to realize that if this fee schedule acts as a deterrent, communities such as the one I represent will still be in the same boat we were in previous to now, and that is that we have PCBs that are owned by private owners that will continue to be stored in a residential neighbourhood.

You and I've gone round the mulberry bush on this for the last couple of estimates. In my view it's totally unacceptable to have PCBs, which is a toxic material, stored in the middle of neighbourhoods, and so I would just simply call upon you as the person responsible for the

environment to ensure that this fee schedule does not act as a deterrent to places like the city of Saskatoon, so that the people that I represent, the place that I live and work can be ensured of safety in the future.

Hon. Mr. Swan: — Well the regulations that we have in place will require that the PCBs all be moved to Boundary dam, so you won't have that problem that you're concerned about.

My staff indicate that they will attempt to get a copy of the fee schedule. I don't think anybody expects that to destroy the PCBs is going to be cheap. And there is a liability side of it, the same as you indicated, but I don't believe that SaskPower is going to price it so high that it will deter people from sending the product there. They're going to try and do it at pretty much what is the actual cost, and if we can move it at that rate, then I believe that everybody will be satisfied.

So we'll try and get you a copy of that. I'll have to ask SaskPower for it. I don't know whether I can have it immediately, but we'll get it fairly soon for you.

Mr. Tchorzewski: — Thank you, Mr. Chairman. I appreciate your commitment and your staff's effort in getting that information for my colleague and the rest of us, because it's something that I think clearly is long overdue. And I know that it's a responsibility of the Saskatchewan Power Corporation, but maybe between the two of us we can get them moving on it a little quicker than they have been.

Mr. Minister, my colleagues and I now want to pursue at some length the Rafferty-Alameda issue. And as a way of introduction to that issue, I want to raise with you the inadequacies that clearly, clearly are there in the environmental impact assessment process that I want to sort of discuss briefly in the process of making a proposition to you and see how you will respond to that.

(2045)

I think you will agree that the . . . maybe you won't agree, but there's a lot of people who will agree that the effectiveness of the environmental impact assessment as a tool in cleaning up and maintaining a healthy environment is severely limited, and is limited due to the lack of standardization of the process across Canada, and a lack of standardization even within individual provinces, and certainly in the province of Saskatchewan.

I am afraid that too often this environmental impact assessment process is simply used to justify a project rather than to do a truly good environmental impact assessment. We have had too many examples where too often the process has been influenced by government and by political interference, as has been done and has been . . . or has been so clearly and so sorely been displayed by the Rafferty situation.

There is no doubt, in spite of what you might say, Mr. Minister, or any other member of your government, that that project had political interference, that there was another agenda other than simply doing an adequate

environmental assessment. And as a result, a lot of people are faced with some rather horrendous expenses — the taxpayers, that is — and a situation which has been very badly mismanaged.

In that particular case there was a deal; there was a trade-off — there was a trade-off for political reasons. I've said often that I would be surprised that you would not be aware of it, but maybe you weren't. Maybe it was just the people who run the political machinery of your government who were aware of that, Mr. Minister. But the evidence is there, and if you weren't aware of that, Mr. Minister, then you have not been carrying out adequately your responsibilities.

The documentation from the water supply board has been presented and tabled and made available, which clearly shows that there was every effort made to get that licence of the federal government in place and to get the project on the way before anybody who might express some concern could raise enough concern that it might stop the project. And that might have been the case if it had not been for the intervention of the federal court, which clearly you didn't have any option except to obey what the court judgement was.

Certainly the Deputy Premier and the Premier chose not to pay attention to that court ruling. Instead they chose to spend even more taxpayers' money and go through this silly charade of an appeal which, after the court considered for 17 short minutes, didn't even hear the presentation of the wildlife federation, threw it back in their face and said, you guys are just being silly about this — far from what one would expect of the people who have been entrusted with the affairs . . . entrusted with the governing of this province. It turned out to be almost a joke except that it's pretty serious as to what's been happening here.

I submit to you, Mr. Minister, that the environmental impact system is inadequate in many areas, it was inadequate in many areas, and yet that licence was issued. And why the Minister of the Environment of Saskatchewan would not know that there was something missing is beyond me.

So what this Rafferty-Alameda experience as served to highlight is the need for assuring, in fact guaranteeing, an independent arm's-length from government operation to be the initial review body of any environmental impact assessment that is done on any project. We need something that exists in other places, something like an environmental protection commission so that certain things can be put into place.

Right now, Mr. Minister, there is no standardization of when or how to perform an environmental impact assessment. There's no standardization anywhere. If a pulp mill is going to be built in Saskatchewan and one is going to be built in Ontario and one is going to be built in British Columbia, there is no standard procedure or standard process under which environmental assessments can be made.

And if you look at the three separate environmental assessment statements that are presented, you wouldn't

even know that they were all dealing with the same subject matter because there is not that kind of a standardization. And as a result, there are no ways to compare the results of assessment, or of using the results in research into the cause-effect relationship in environmental studies.

Now that is a very serious shortcoming, Mr. Minister. And what brought that to mind to me today was I was listening to the news, and out of the western premiers' conference. Instead of the western premiers, including our Premier, talking about the need to make the system more effective, all we heard was them complaining bitterly about the fact that the federal government was in some cases taking this process seriously. Now that was very disturbing, Mr. Minister.

If truly this government and our Premier are serious about environmental protection issues, as you seem to say in your throne speech and in your budget, why in Heaven's name would this Premier join Mr. Vander Zalm and Mr. Getty and Mr. Filmon in saying to the federal government, you have no business being concerned about the environmental impact of projects that happen anywhere in Canada? Now all that, Mr. Minister, is the Premier once again trying to defend himself against the Rafferty boondoggle.

There was a role for the federal Department of the Environment to play because of the interjurisdictional concerns that were here, as well as other things. There was a role for it to play in having an environmental impact study done, and it did not play it because of the political deal that was made. And so I submit to you, Mr. Minister, that there needs to be something — and I'm not wedded to the title — like an environmental protection commission, both nationally and in provinces, which would collect and analyse information, which would provide some guide-lines under which environmental assessments can be made.

And not only that, Mr. Minister, this commission should be the first body that should review any environmental impact statement prepared by any proponents of a project. There should be a semi-independent body so that there is no potential of political interference. And when an environmental impact statement is prepared by a proponent, it should go to this commission, on which there would be a representation of various sectors in the economy. And that commission should then review that statement and then make a recommendation to the minister responsible.

Ultimately, I guess, the minister would have to make a decision, but I think it would be a very, very difficult thing for any minister of any political party to decide contrary to what this independent or semi-independent commission might recommend.

Now, Mr. Minister, unless and until we begin to recognize that this kind of serious approach to environmental protection is something we should follow, then all of the debates in politics and all of the debates across the country, and all of the debates and organizations, are futile. Oh, they raise consciousness; oh, they cause opposition politicians to ask government

politicians questions, but unless we begin to deal with it seriously in something along this form, we really are not accomplishing a great deal.

Now I propose that to you, Mr. Minister. I want to ask you: has your government considered such an approach; and if not, would you consider such an approach, and therefore make the whole process a lot more effective?

Some Hon. Members: Hear, hear!

Hon. Mr. Swan: — Well the member is making the same accusations that he made in the early part of his comments that there was political interference. And I suppose any time two politicians talk, I suppose there's political interference.

But this particular project has had one of the most extensive environmental impact assessments that's ever been written in this province. It had one of the longer public review periods, which was extended to 60 days. And then it had beyond that a board of inquiry that was given time to work from September 1, and they gave me a report about February 1 of the next year.

During that time they received both verbal and written submissions, and the concerns that were raised in the meetings, in the verbal and written submissions, were all addressed in the licensing of that project. And there were about 30 requirements that were listed on the licence that they had to meet.

During the whole period from the very beginning of drafting the guide-lines for the environmental impact assessment, through to the review of the assessment and the final licensing, the federal government had been involved in the discussions all the way through, at every stage, and felt that they had done their part. And that was the reason that they gave their licence — no other reason.

They felt that they had adequately fulfilled the requirements of their legislation, and they had fulfilled the requirements of legislation. But what actually come up in the courts were guide-lines that had been written. They were not regulations, they were not legislation, they were simply guide-lines. And those guide-lines were used by the judge in the decision that he made.

On the topic that you raise as a suggestion. The jurisdiction suggestion has been around for a long time, and the need to have some co-ordination of the objectives across the nation have also been made many times. And it's a subject that has come up at the council of environment ministers for Canada. It's not something that we have looked seriously at in Saskatchewan at this point, though it may be something that we can look at in the future.

But I believe that the federal government and the (Canadian) Council of Resource and Environment Ministers will be looking at the environmental impact assessment process. I think that process that we use in Saskatchewan up to this point has worked reasonably well. I wouldn't say it was perfect. I don't suppose any law that we ever write is perfect.

We will be looking at a re-write of the environment Act at some point, and likely we'll look at a re-write of The Environmental Assessment Act to strengthen it in areas that we see that it may need strengthening. But up to this point in time, it has served Saskatchewan reasonably well. I believe that the staff in the environmental assessment branch have done a good job in providing me as minister, and ministers before me, with proper advice in making decisions on projects that come before it.

Mr. Tchorzewski: — Now, Mr. Minister, the staff indeed have, I think, in spite of budget cuts and in spite of personnel cuts, I think, done a credible job against other great odds — such odds as the attempt by the Souris Basin Development Authority and by ministers of the Crown who try to circumvent the work that the staff must do.

That's the situation here, Mr. Minister. We're not blaming the staff. I think that the staff is doing all that it can, in spite of the fact that the policies of this government as stated are one thing, but the actions of this government are more motivated by the concerns of some of their industry friends and their political concerns and not helping the people who are employed to do their job do their job. They do the best they can, but the politicians on the government side continue to interfere in every way that they can, as they did with the Rafferty project.

Now, Mr. Minister, there were shortcomings, and my colleague, the member from Rosemont, will soon get into some of those shortcomings, and we've got them documented.

Now, Mr. Minister, the one thing about this Rafferty-Alameda project is that it leaves a legacy of failure for environmental protection by this government. It leaves a legacy of political interference with the due process of the law. It leaves a legacy of government incompetence and government mismanagement, and only simply is one of many scandals which have been uncovered during this session of the legislature.

So my colleague and I are going to be asking you a lot of questions. Why was the federal licence granted without the appropriate environmental impact assessment, even though you knew that that was not being done? Why was there a political trade-off? Why did the Premier encourage, or in fact condone the illegalities that took place here?

(2100)

Why did this Minister of the Environment, and that is yourself, allow yourself to be part of this conspiracy which was involved? We're going to want some answers to that.

Now I have here the court decision, Mr. Minister. You often have said, in the defence of this disaster, you often have said that you issued a licence to which there were a lot of conditions attached. In fact they're outlined here. I have 12 of them which were mentioned in the court judgement.

Several conditions are contained in the licence granted by the Minister of the Environment to the

Saskatchewan Water Corporation.

I'm not sure whether these are the federal conditions or whether they were the provincial conditions, but one of the provincial conditions, Mr. Minister, was that there would be a water management proposal put into place. You granted the licence on the condition that there would be a water management proposal in place. Mr. Minister, is that proposal in place? Do you have it? And can you make it available to us today?

Hon. Mr. Swan: — The water management proposal that you asked for is being developed by the Saskatchewan Water Corporation and the Souris Basin Development Authority. The statement is to be completed by the end of this year. That really should be asked for under Sask Water, not under the Department of Environment. And when it is completed, you'll be able to have a look at it, the same as everyone else. But it's the end of this year that it's intended to be in place.

Mr. Tchorzewski: — Mr. Minister, another condition that you had required was that there be put in place a program of monitoring water quality and quantity in the areas affected. Is that program in place, Mr. Minister? Do you have it?

Hon. Mr. Swan: — The program for water quality management was put in place and began to operate in the spring of this year and should give its report about the end of December of this year.

Mr. Tchorzewski: — So you're not able then to know what this report will be; so you're not able to know what the water quality and quantity will be because you're saying you won't get this report till later of this year.

Hon. Mr. Swan: — The member brings in a term there that I didn't use. I said the water quality report is being worked on; you add quantity. Quantity was dealt with a long time ago, and the indications are that about every 10 years that the dam would fill with a flood, and that's the indication that my corporation has put forward.

Now you're going to quote Cochrane Lavalin. Cochrane Lavalin do their own facility reports, and they made a decision and they reported differently than what the water corporation's records show. What I'm quoting you is the report that is done by the hydrogeologists within the department and within the water corporation, and the indications are that over the long history of that particular project, that it would fill about once every 10 years.

Mr. Tchorzewski: — Mr. Minister, we'll get into that as well because that is not correct, and you know it. All of the experts, in studies by Cochrane Lavalin and studies before that, refute everything you have just said, and you in no way can substantiate what you're saying.

Mr. Minister, let me go back to my question here. Are you saying that the program to monitor water quality is yet not in place, Mr. Minister? Do you have any results from this operation at the present time?

Hon. Mr. Swan: — I advised the hon. member earlier that the study is being done. The program started this spring.

They are taking samples throughout the course of the summer. And you can't just start the program in April and then write the report. You have to give some time for that water quality study to be done, and they're doing that, and they will give the report about the end of this year.

Mr. Tchorzewski: — Well, Mr. Minister, I could deal with a number of these, and maybe as time goes on I will, but I specifically asked you those two questions to establish the fact that you said in your licence that certain conditions had to be met by the Souris Basin Development Authority in order for this project to go ahead. Is that right, Mr. Minister?

Hon. Mr. Swan: — Yes, they have to meet the requirements that are under the licence, and they are proceeding to do that in the time frames that they had indicated they could do it.

Mr. Tchorzewski: — And you have said, Mr. Minister, that you yet don't have these, in these two areas that I have raised — and there will be others — you yet don't have a report for them. Is that correct, Mr. Minister?

Hon. Mr. Swan: — Yes, we don't have the report at this time. But in both cases that you have mentioned, the project is under way, and there will be a report by the end of this year, in both cases.

Mr. Tchorzewski: — That then establishes the seriousness of what you have done.

Mr. Minister, you issued a licence in which you instructed the Souris Basin Development Authority that it had to meet certain conditions. The Souris Basin Development Authority has yet not met those conditions. You don't know what it's going to report. You don't know what the water management proposal is going to say. You don't know if it might not say that there are some very serious difficulties here, and therefore we've got a problem.

And yet you have allowed the project to go ahead, and there has been construction on the site and your Deputy Premier has said that you have spent something like \$34 million. That's ridiculous, Mr. Minister. That is about as irresponsible as any issuer of any licence can possibly get. You issue a licence, you make conditions, and without those conditions being met you say that the project proponents can go ahead and start work.

Now can you possibly explain, Mr. Minister, how that makes any sense at all?

Hon. Mr. Swan: — As I indicated to you earlier, there were time frames developed, and in both of these cases the Souris Basin Development Authority is meeting the time frames that were set out for them to bring these reports forward. They are doing the work now, and the reports will be available by the end of this year, and they're meeting the time frames that were required of them.

Mr. Tchorzewski: — Mr. Minister, you don't know that they will ultimately meet those timetables. You had 16 conditions. You have allowed the project to proceed. There's only one reason you have allowed it to proceed,

Mr. Minister; you have allowed it to proceed to meet exactly what Mr. Hood was saying in his letter to Mr. Walker, in which Mr. Hood said in his letter that this project should proceed as quickly as possible. We should not inform until we are forced to by the governments of Manitoba or North Dakota or the Government of Canada, so that this project can be so far ahead by the time the critics are able to deal with it that nobody will be able to stop it. That's why you allowed this project to go ahead even though the very conditions which you required have not yet been met.

Now, Mr. Minister, I don't know that . . . this is probably unprecedented. Can you explain, Mr. Minister, how you can possibly allow the project to proceed as you did before you were able to be assured that these conditions would be met, because there is no way you can be assured of that. If you say that they're happening on time, you're making assumptions that in no way you can back up.

Can you justify, Mr. Minister, the start of the construction there for any other reason except the political reason which I have just outlined, even though the conditions haven't been met?

Hon. Mr. Swan: — I have indicated to the member several times that in the licensing approval they were given time to do the work that I mentioned. And in both cases they are proceeding to do the work and they are on time and will complete their project. They assure me that they will complete their project by the end of December, and that's the time frame that they were asked to do it in.

Mr. Tchorzewski: — Well that's what they say, Mr. Minister. But they have said things before which have not been exactly the way they actually were. Now, Mr. Minister, there is no way you can guarantee that that will happen.

What if, in December, you do get the report of these projects and the Rafferty project had not been stopped by the courts and another \$80 million had been spent or whatever . . . \$100 million dollars, and you found out that the proposals that the proponents were making to you were unsatisfactory and that somehow they couldn't meet some of your requirements. They would have spent all that money, the project would have been built, and you would be sitting there with a report that you would either have to doctor, Mr. Minister, or you would have to admit to the fact that the government has blown, once again, \$100 million dollars or \$150 million or whatever they spent at that time, Mr. Minister. That's the point I'm making. The process has been backwards, and it was backwards simply for political reasons. Now can you address that issue, Mr. Minister?

Hon. Mr. Swan: — The approval process under the environmental assessment branch have always attached conditions to licensing since the beginning of that operation. And you do take some chance with any company or any group of companies in developing any project, but you also have the other side of the legislation, where there can be fines or whatever has to be done, to handle that. And I'm not really that greatly concerned.

After I go through the environmental assessment process and read what they have covered in that assessment process, I'm satisfied that the project was suitable to let it start. And my staff had the same conviction, and so the decisions that we made and that were put in the licence, I think, are protective measures that are going to guarantee to the public that all of these requirements are met, and they will be met.

Mr. Lyons: — Thank you very much, Mr. Chairman. Mr. Minister, once again you've demonstrated to us in the House tonight and to the people of the province the conundrum that your position as Minister of the Environment and also your position as Minister in charge of the Water Corporation, and your position as the front man to justify the politically motivated scheme has put you in. This conundrum consists of having to cover up the truth from the people of the province as regards the environmental impacts of the Rafferty dam on the environment of Saskatchewan.

(2115)

And we just heard an example of that tonight when once again you have stood here in this House and said that this dam will fill once every 10 years, trying to leave the impression that there's going to be a full dam ten years, one year out of 10, and that it won't be quite so full the other years.

Mr. Minister, let's go back to some of the things that my colleague from Regina North East has raised in regards to the political role that this particular project has engendered for yourself.

First of all we have had the evidence given by a senior member of the federal Minister of the Environment staff, a former member of the federal minister of the environment, an Elizabeth May, who warned Mr. McMillan, the former federal Minister of the Environment, about this particular project; who said that the statistics that were being provided to the federal Department of the Environment were not true statistics; that there was cooked and doctored data provided to the federal Department of the Environment; that there were scenarios laid out by you or by your officials, since you're responsible for your officials, and by particularly Mr. Hood from the Souris Basin Development Authority which did not correspond to the scientific evidence which had been presented; and that there was an interpretation placed on certain scientific events that did not stand public scrutiny; and more importantly, according to Ms. May, there was facts being held back by Mr. Hood and by yourself as Minister of the Environment, in regards to the Rafferty and Alameda project.

And, Mr. Minister, once again you have just demonstrated the truth of Ms. May's thesis. You stood in this House and said that the dam will fill one year out of 10, despite the fact that this document, the initial environmental evaluation — not done by us in the New Democratic Party, not done by opponents of the project or proponents of the project, but done by officials who were a little farther removed from the political process than yourself, who don't support your contention that this dam is going to fill one year out of 10, but in fact, who say

that, if in normal times, if the dam were built in 1912, which was the first year that data were collected, that it would take 43 years — 43 years — for the dams to fill, which is not one year in 10, Mr. Minister — not one year in 10.

Now, Mr. Minister, that, by the way, is the same information that was given to you as Minister of the Environment by your department officials, and was also given to you by your officials in the Saskatchewan Water Corporation, upon which this modelling data was based.

So once again we find, Mr. Minister, you standing in the legislature misleading the people of Saskatchewan in regards to the truth about this project. And it's no wonder, it's no wonder, Mr. Minister, that the people of this province are in their great majority opposed, opposed to this project.

And, Mr. Minister, this document in here in fact records the opposition of the people of Saskatchewan to the Rafferty project. Ninety-eight per cent of the people which live upstream of the project, according to Environment Canada, 98 per cent of the people, or thereabouts, are in opposition to the building of the Rafferty dam because they know, Mr. Minister, they know, as do many other people, that this project has been studied *ad infinitum* — some would say has been studied to death; and in every other study, every other study done, including the study done in 1978 by Manitoba, Saskatchewan and Canada, that the same conclusions were reached: one, that it's not economically viable; and two, Mr. Minister, that it is not environmentally tenable.

Those were the conclusions reached year after year after year, Mr. Minister.

Mr. Minister, do you think that the people of Saskatchewan are so stupid as not to be able to judge for themselves what constitutes an environmentally tenable project? Do you think that they for one minute will accept the assertion, sir, by yourself and your department — and particularly in light of the activities of the Premier and the Deputy Premier around this — in which falsehoods have been resorted to in order to sell this project; the same kind of manipulation of reality that you've attempted in the legislature here tonight.

I submit, Mr. Minister, that those days are long gone when any politician from any political party — and if you don't believe me, ask Tom McMillan and he'll tell you the same thing, because I can tell you right now one of the most sorrowful days of his life is when he went ahead in the political deal for Grasslands and the French language institute, and this province went ahead and signed off on Rafferty. And if you want to talk to Mr. McMillan about that, I suggest you give him a call because he knows how it feels when ministers of the environment are negligent in their duties. And their duties are to protect the environment.

Now, Mr. Minister, we have made the accusation for the last two years, the last two years, sir, that this project does not stand environmental scrutiny. And I have here, Mr. Minister, as I said earlier on, the environmental evaluation done by Environment Canada. And you know,

Mr. Minister, it's a fairly thick document, and it's thick, not because it's a project description but because it describes the shortcomings and information gaps, the shortcomings and information gaps in your own environmental assessment process.

And one of those shortcomings, Mr. Minister, is in regards to a question which have bothered a lot of people in this province since you made the political decision to go ahead with Rafferty — a lot of people in this province. It's also bothered Environment Canada over the years. And I refer, for example, to 1987, a document from Environment Canada where it says:

The length of the operation of the power plant (i.e. the Shand power plant), to the reservoir behind the Rafferty dam for cooling water, continues to bother Environment Canada. Having reviewed the Rafferty environmental impact statement (that is the statement that you approved) and coupled with the Shand statement, a concern remains as to the source of water to operate the plant should the reservoir not be able to supply the power plant's needs.

That same concern, by the way, Mr. Minister, is also contained in the draft evaluation — that same concern exists.

We've had statements here in this House by the Deputy Premier, Mr. Minister, who has said that in order to fill up Rafferty dam — since there's not going to be enough water available, particularly in years of drought — that they're going to have to pump out the aquifer.

Mr. Minister, my question to you is that in light of these facts — that a political decision was made, and that you have hid information pertinent to this project, in particular, the question of the pumping of the aquifer — will you now tell the House what steps you have taken as Minister of the Environment to ensure that the aquifer in the Souris valley basin will not be pumped to fill the Rafferty-Alameda dam? Can you give us any assurance to that fact, sir?

Hon. Mr. Swan: — Now the member has gone into a very lengthy speech and covered a number of areas, and I'd like to respond to some of those areas. You know, you asked me if I thought all the people of Saskatchewan were stupid. I would say the majority of them aren't, but there's the odd one out there that I wonder about.

An Hon. Member: — . . . (inaudible) . . . they're NDP.

Hon. Mr. Swan: — No, there's just the odd one.

You talk about a political decision. Yes, I made a decision. I'm a politician and I guess I would say yes, I made a political decision. But I made it with the advice of the staff of the Department of Environment and the environmental assessment staff. And you can talk to any one of them and they will tell you that I did not change their writing of what they considered should be the proper licensing process for that project.

It was reviewed thoroughly by the environmental

assessment branch. At no time did I interfere with that assessment. I let them make their whole assessment without interference. And I was not interfered with by the Premier or by the Deputy Premier or by anyone else in this government. I was left on my own as Minister of Environment to review the project and make the decision on that basis. And that's exactly the way the decision was made.

You speak of pumping water from an underground aquifer to fill the Rafferty project. If that ever becomes a proposal — and we have not been asked to approve that kind of a proposal — if that becomes a proposal, it will go under review at that time, and the decision will be made on whatever the proposal is. But we have not been asked to authorize that kind of a proposal at any time, either by the Department of Environment or by the water corporation.

An Hon. Member: — You say no pumping has taken place?

Hon. Mr. Swan: — It has not been even requested for the Rafferty-Alameda.

Mr. Lyons: — Mr. Chairman, Mr. Minister, once again I can't believe your answer. I'm sorry, I can't believe your answer because I have documented — and the people of this province have seen and the press have seen —

— letters from Mr. Hood to Mr. Walker, from Mr. McLeod to other officials in the water corporation, which you are the minister in charge of, which says that the proposal to fill the Rafferty dam will come from the pumping of the aquifer. February of 1987, February 14 of 1987, a letter landed on your desk which contained that proposal.

You cannot stand here, Mr. Minister, you cannot stand here and say that you have never seen a proposal to pump water into the Rafferty-Alameda because we have that documentation, and we will in due course provide it for you.

Mr. Minister, not only do we have that particular letter from 1987, we have the actions, we have the actions of you, as minister, in regards to the Macoun wells which are presently pumping water out of the aquifer into Boundary dam, which you authorized, maybe — maybe. Because that's what I want to ask the question. We had the same operation undergone last year by SaskPower who drilled the wells, pumped water out of the aquifer into Boundary dam. Now, Mr. Minister, did you approve that particular operation as Minister of the Environment? Did you ask for an environmental impact statement to be prepared by SaskPower? Did you provide it with a licence under authority? Have you given it your approval, as Minister of the Environment, that the underground aquifer in the Macoun area be pumped out?

Hon. Mr. Swan: — The pumping of water by SaskPower into Boundary dam was reviewed by our department, and they didn't feel that it was necessary to do an environmental impact assessment, so they didn't go further than that. The approval was actually given to do the pumping by Sask Water Corporation.

Mr. Lyons: — So, Mr. Minister, we have an operation which affects international waters. It affects the water quality and the water quantity and the water balance of the whole water table in that area. And just an example of that, the farmers in the Hitchcock area have been on the phone to me. Now I'm not their MLA; the member from Estevan's their MLA, but they've been on the phone to me saying, how come our wells are going dry? SaskPower's out there pumping water; we don't have the water. This is five wells — pardon me, Mr. Minister — these are eight wells, excuse me, at Macoun which are pumping water out, which you didn't think was going to have an effect on the environment.

That's precisely the kind of thing we have been raising for the last two and a half years about the Rafferty-Alameda project. Because the feds, in this initial environmental evaluation, say, well, no one has formally proposed they're going to pump water. But when we hear the Deputy Premier of Saskatchewan say in the legislature and before the Crown Corporations Committee that they're going to pump water from the aquifer in order to fill Rafferty dam — so we're going to ask these people what precisely are their intentions given that the dam is not going to fill and that Shand power plant is going to need the water.

Mr. Minister, what kind of fools, I ask you, do you think the people on this side of the House or the people of Saskatchewan are? We know what kind you are. We know what kind you are when you try to go ahead and pull the wool over our eyes on this kind of thing. But, Mr. Minister, there is a lot at stake here in regards to what is going on with the water in south-eastern and south-central Saskatchewan. You can't just pump out water from the aquifer and figure that no one's going to raise an issue about it.

Don't you think you're a little bit negligent, Mr. Minister, don't you think you're a teeny bit negligent in approving this kind of operation without knowing any of the long-term effects?

For example, on the bass fishery in Boundary — you know, there happens to be a bass fishery in Boundary. It's the only one in Saskatchewan, right? Did you do an evaluation of how it's going to affect that particular fishery which will affect the recreational dollars and recreational economic benefits that are pursued in the Boundary dam area. Did you look at that, Mr. Minister?

Hon. Mr. Swan: — I'm advised that the pumping occurred in the fall of 1988 until about February of 1989, and then the pumps were shut down because there was adequate water to meet the cooling requirements of Boundary dam.

The water has been monitored continuously at our request by SaskPower, and they keep bringing samples back for testing. I believe that up to this point we have seen no harm to the fish that are in that particular facility. I suppose there'd be more harm if there had been no water. The fish would have died because of lack of water, so likely the fish will survive better because of it than if we hadn't pumped.

(2130)

Mr. Lyons: — Well, Mr. Minister, I'd certainly be interested in seeing any studies that you or your department have carried in regards to the salinity problems which are beginning to appear in Boundary dam, because there have been independent tests carried out by people who are concerned about the fisheries, who are concerned about the long-term implications of pumping saline water into the dam, and they don't come to the same conclusions that you do.

So I will be very happy when you provide us with the testing that you have carried out in regards to the water quality and the change in water quality at Boundary dam. I understand from what you've just said that in fact that those tests have been done.

But, Mr. Minister, that's not the point. The point of this whole thing is, is that the Deputy Premier of Saskatchewan has stood in the legislature and has stood before us at Crown corporations, saying that in order to fill the Rafferty dam they're going to have to pump out the aquifers. Now, Mr. Minister, the Rafferty dam is five times larger, five times larger than the Boundary dam, which will require a tremendous amount of underground water to be pumped from that area. That means that the stock growers in the Estevan and Souris valley area are going to be affected because they, like the ranchers around the Hitchcock area, are going to have their wells go dry. They're going to have their water tables lowered in a significant way.

Mr. Minister, you knew about the proposal in February of 1987; you knew about that proposal that that was going to be the back-up for the Rafferty-Alameda project. You knew about that, and yet you deliberately — and you still tonight deliberately — keep that information from the people of Saskatchewan and from the officials of Environment Canada. They say so right here in their initial evaluation, Mr. Minister.

Now isn't it about time, Mr. Minister, that you came clean and answered the question: where is the water going to come from if in fact we go through the same kind of drought cycle that we've gone through for the last eight years? Where is that water going to come from, and how is the Shand power plant going to be cooled? How is it going to be cooled when there's no water in the Rafferty dam?

Hon. Mr. Swan: — The studies that have been done indicate that the reservoir will fill. And the member doesn't take my word for it, so I won't give him any more information than that. They just indicate from the water corporation, and from others, that it will fill, and it will fill about once every 10 years.

Now the Shand plant will cool from the water from Rafferty because it is the intention to store water, and it will be used for that purpose. They also indicate that they will use water and hold it in a pond and recycle it. So the plant, they indicate, can be adequately cooled by the water that's available in that project.

Mr. Lyons: — Well, Mr. Minister, this I find very interesting. Now you're contradicting the Deputy

Premier who has told us in this legislature that they're going to fill the Rafferty dam, that that's plan B. When there's no water in the reservoir, are you saying that he didn't say it, because we have the *Hansards* here, sir. We have the *Hansards* here where in fact he does say it.

So, Mr. Minister, I think once again that you've been hoist on your own petard, which are your own words, if you like. Once again you go and repeat the myth that it's going to fill once every 10 years. So, Mr. Minister, I'm going to read to you from the initial evaluation:

Reservoir filling probabilities were determined for the Souris Basin Development Authority environmental impact statement. In order to demonstrate the filling possibility, two runs were selected from Saskatchewan's early simulations. (It goes on and on) . . . The 1912-1974 period included the dry 1930s, while the '48-74 period was very wet. In fact '48, '55, '56, and '74 were the wettest years in the record. It's interesting to note that in the two simulations, both the Rafferty and Alameda dams filled in 1955. The 1912 run took 43 years to fill the reservoir.

Forty-three years, Mr. Minister, that is not once every 10 years, that's once every 43 years. Under what conditions did it fill? Under normal run-off conditions. Once every 43 years under normal run-off conditions. How long did it take, Mr. Minister, to clean under the wettest conditions possible . . . the wettest conditions historically, I should say? Why that took seven years. The wettest conditions possible, it still took seven years.

Mr. Minister, the Shand power plant comes on stream 1992. That's two and a half years from now. If it takes 43 years to fill the dam, or even better, if it takes one in 10, using your own figures, one in 10; if it takes 10 years to fill the dam, and the Shand power plant is scheduled to come on stream in 1992, where is the water going to come from? Where is the water going to come from?

Mr. Minister, you are once again having to act as the front man and having to mislead and deceive the people of this province. I mean, what do you think we are on this side, Mr. Minister? Where you have a project, a billion dollar project going ahead in three years time, you don't have a dam; there is no water; it's supposed to be water cooled. Where are you going to get the water except pump it out from the aquifer?

Because, Mr. Minister, on page 671 of the same document, I want to read this to you. I want to read this to you, Mr. Minister, to show what kind of deception, to show the people of Saskatchewan what kind of deception you and the Premier and the Deputy Premier have colluded in regarding this project. Because you knew darn well, sir, you knew darn well that the back-up project — you knew in 1987 — was to pump out the aquifer. Let's see what Environment Canada says: "Ground water pumping into Rafferty and Alameda reservoir has not been formally proposed."

Note the words "formally proposed." But has it been informally proposed? Well, we know very well that it has been, and you know very well that that's the proposal.

The question has been raised, the question has been raised, however, because of the precedent set at Boundary reservoir during 1988.

Because of the potential impact of ground water pumping on reservoir water quality, and subsequently upon the quality of international waters, Environment Canada requires clarification as to the proponent's intent concerning this option.

Mr. Minister, Environment Canada knows that that is the real option. Mr. Halliday received copies of the letter outlining the proposal to pump the ground water in 1987. You knew in February of 1987 that that was the proposal.

Won't you tell the people of Saskatchewan now, as Minister of the Environment, that the water to cool the Shand power plant is going to have to come, at least initially, from pumping the underground aquifer, and that perhaps that issue should be studied, given the amount of water that will be affected?

Hon. Mr. Swan: — I think the hon. member will have to ask the minister responsible for SaskPower what water he intends to use. But the dam was to have been built in 1989, and the power station was not due to come on stream until 1992, so we would have had three years to accumulate water for cooling purposes.

Thanks to the hon. member, that plan has stopped and we're going to have to look at other alternatives. I'm not sure what SaskPower is looking at. They have to look at air cooling and a variety of other things, but you'll have to talk to the minister responsible for that area.

Mr. Lyons: — Mr. Minister, how can you stand in the House and mislead this House and the people of the province? This is disgraceful — your performance. You have received letters from Mr. McLeod two years ago — Mr. McLeod, one of your officials. You received correspondence from him two years ago outlining the proposal to pump ground water.

Don't try to stand here, don't try to stand here . . . or maybe, Mr. Minister, I'll ask you this: or can you stand in this legislature tonight and say that you have never, ever heard of this proposal to pump ground water out of Rafferty? Can you stand here and with a truthful conscience say to the people of Saskatchewan that in 1987 you didn't know that the proposal, the plan B, as the Deputy Premier calls it, was to pump out the ground water? I challenge you, sir, to stand here and say that, because we will lay documenting evidence on the table to prove you for what you are, should you deny that statement?

(2145)

Hon. Mr. Swan: — The requests that we had to pump ground water were requests to pump ground water for Boundary dam, and to the best of my knowledge tonight that's all the answer I can give you. We have had no formal request for approval. We have had no formal request in our department to give approval to pump ground water.

Mr. Lyons: — Well, Mr. Minister, we've got you on the slope. Now let's bring you to the bottom of the hill and come clean. Maybe you'll be able to sleep better tonight.

When you say you've had no formal request, that was not the question I asked, and I want the people of this province to note very carefully that you used precisely the kind of rodent words that are used here in the initial environmental — no formal request.

The question I asked you, sir, was this, very simply: to your knowledge, in 1987 was there a proposal to pump water, ground water, to be used to fill the Rafferty reservoir? Before you answer that, I want to caution you, sir. Very carefully listen to what I am saying. Did you have knowledge in 1987 of a proposal put forward by Mr. D. L. McLeod and by Mr. George Hood in regards to the pumping of ground water to fill the Rafferty reservoir? Yes or no?

Hon. Mr. Swan: — I'm advised that the Department of Environment has had no formal request to pump ground water for Rafferty.

Mr. Lyons: — Well, Mr. Minister, by your refusal to answer the question, I think it's become evident to everybody in Saskatchewan that you, as Minister of the Environment, are engaged in a cover-up. The kind of cover-up that we've talked about the last two years; the kind of cover-up, Mr. Minister, that has landed you twice now in federal court in the kind of hot water where you have lost two cases before the federal court.

Because you see, Mr. Minister, the people of Canada, the people in Environment Canada, the people who are in the environmental movements around this country know the importance of this project in regards to developing a new set of morality in regards to environmental issues.

No longer — as my friend and colleague the member from Regina North East has said — no longer will politicians get away with trying to pull the wool over the eyes of the people who they represent; no longer, Mr. Minister.

Some Hon. Members: Hear, hear!

Mr. Lyons: — The same, Mr. Minister, can be said of all political parties, I may say — all political parties. That is why, Mr. Minister, that is why that yesterday in Melita, Manitoba, the Progressive Conservative Minister of the Environment, the Progressive Conservative Minister of the Environment, Mr. Cummings, joined the Liberal critic of the Environment and the New Democratic Party in the Environment in a joint call for a full and independent review of this project.

Some Hon. Members: Hear, hear!

Mr. Lyons: — Mr. Chairperson, and Mr. Minister, the reason that they called for that independent and scientifically credible study is because they have looked at what's gone on in Saskatchewan and they have seen the kind of political cover-up that you — you personally, sir — along with the Premier and the Deputy Premier,

have entered into in regards to this project. The facts, Mr. Minister, the facts belie everything you have said about this project from day one.

Mr. Minister, I ask you now: given that . . . in your budget address, and given that in the throne speech certain promises were made to the people of Saskatchewan that there was going to be a new regime when it comes to environment in Saskatchewan; and given that across Canada people look at the Rafferty-Alameda judgement as setting now a new stage in developing — as my colleague from North East said — national and provincial standards for environmental assessment, will you now join with us in calling for that independent and credible inquiry?

And secondly, will you join with us, as we originally put out two years ago, will you join with us in a proposal to jointly look at alternatives to the Rafferty, particularly to the Rafferty dam, sir. Because there are alternatives, and the objectives of water quality, water management, flood protection, and enhancing the natural environment of the Souris valley can be carried out through options — through options to the Rafferty.

Will you, sir, do those two things. Join us in our call for an independent and scientifically credible study. And secondly, will you urge — at least publicly declare — that you will urge your Deputy Premier that maybe it's now time to back off his bull-headed attitude and to begin to look at some of the real alternatives so that we can all meet the objections together?

Some Hon. Members: Hear, hear!

Hon. Mr. Swan: — To the hon. member, I would simply say that in Manitoba the government that was in power at the time that this study was going through was an NDP government, and they were advised and kept in touch all the way through that process. They had many meetings with the Souris Basin Development Authority and others.

The indications I had from the news that was in today's announcement by the minister in Manitoba, that it was the Liberal member and the minister responsible who made the announcement. And the indications that were in the news was that the NDP member was not even present. So for the hon. member to try and take some credit for that, I think he's stretching things a little when the man isn't even in the room.

The Rafferty project has had its reviews in Saskatchewan. It's going through the federal review process now, and we'll wait until that review is completed. At no time has there been any work go forward in Rafferty except that which has been fully licensed, immediately that the licence was withdrawn. When the . . .

Mr. Chairman, they don't want answers.

The committee reported progress.

The Assembly adjourned at 9:56 p.m.