

EVENING SITTING  
ADJOURNED DEBATES  
SECOND READINGS

Bill No. 9

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cunningham that **Bill No. 9 — An Act to repeal The Agriculture Development Fund Act** be now read a second time.

**Mr. Goohsen:** — Thank you, Mr. Speaker. Earlier this afternoon, Mr. Speaker, I was giving the Minister of Agriculture a number of examples of the good things that the agricultural diversification fund has provided through the years of its existence, and I was therein trying to encourage the minister to reconsider his position. I realize that the fact that he has introduced the Bill to now cancel and abort the agricultural diversification fund, that being a fact he won't probably go back and change that. But at least we might encourage him to come up with a plan to replace the agricultural diversification fund, a building block to continue the work that is being done in that area, rather than to just lump all of that money into general revenue that has been ear-tagged for agricultural research and development and have that money just get lost in the shuffle and never be used for agriculture. That is our fear.

Mr. Speaker, we believe that by not allowing a program of this nature to exist, rural Saskatchewan will be further deteriorated, and we encourage the minister to take responsible action in this direction.

The examples I talked about earlier today were real diversification, Mr. Speaker, not just fluffy talk about what should be happening in the agricultural sector. These were real examples of things that have happened in the past and we gave you, I think, some good examples of some rather odd projects that in fact came through and became real diversification and real moneymakers for farmers out in rural Saskatchewan.

The NDP (New Democratic Party) are famous for talking about lofty goals and throwing money at study after study, Mr. Speaker. In fact I think you will recall that I call this the NDP disease. We study and we study and we study and then we set up a commission, and then we have a study to study the commission, and then we set up a board. And the board studies the commission and the commission studies the board and then we have a study to study what the study was about, and we study and we study some more. And that's what I call the NDP disease because in the middle of all that, all we've done is hire an immense bureaucracy of people to study the same things over and over again, and we never do accomplish anything and we never do start anything new.

Maybe they figure if they step up studies and keep up studying every issue that comes back, they won't

actually have to make any decisions and that's possibly true, Mr. Speaker. They may never have to make a decision. But in reality they've come along with an idea that we should have an *Agriculture 2000* program and as I see it to date, Mr. Speaker, I think they'd better call it Agriculture 20 program, take off a couple of zeros because I think there's at least 1,080 too many ideas there for these people ever to come up with. And I don't think there's any hope whatsoever that they can fulfil that kind of a mandate, so I think they'd better come back to the reality and maybe they can come up with 20 ideas and they might not even be good ones at that.

In any event, Mr. Speaker, for the NDP to talk about the need to diversify our agriculture and food sector is correct. We do need to do that kind of thing.

We have to diversify. That's what was recognized in the agriculture diversification fund originally, was the need for diversification in rural Saskatchewan. But when the government rolls such an important initiative like ADF (Agriculture Development Fund) into the General Revenue Fund the importance is completely lost. The focus of diversification is lost because we no longer have that specific organization doing that specific job and the focus of that attention won't be on the minds of the minister or the people of Saskatchewan. And we need to have that kind of a focus if we're to fulfil this mandate to actually achieve the goal of diversification.

Bill 9, Mr. Speaker, allows the government to roll ADF into the General Revenue Fund so it can be revised and changed and so that the money can be spent in other places, not in diversification of agriculture. And that is what we are arguing against today.

We've already seen examples that my colleague pointed out, about a million dollars here and there that has been allocated to this fund, and suddenly poof, just like some magic again, that money seems to have disappeared. It never went into agricultural diversification. It never went into agriculture anyplace that we can identify. In fact it's gone.

I'd like to know where did the money go. Somebody should tell us. Where did this money go? We have this magician in the crowd again, this Houdini effect again, all of a sudden poof, another billion dollars — a million dollars rather — has disappeared.

And you can bet that the money won't be going towards agricultural research at the hands of this government, Mr. Speaker, because they have done absolutely nothing for the agricultural industry today. In fact all they've done is destroy rural Saskatchewan. And anything that has been associated to agriculture has been wiped out, destroyed, converted, or changed, or has disappeared. And you can bet, Mr. Speaker, that the ADF that we know will not exist in the future and it will never exist again under this government.

I challenge them to prove me wrong. The track record

that we have here is so bad that we are absolutely convinced that this program, once it's gone, will never, ever see anything to replace it, and agriculture will be sold down the river once again.

I think you can also bet safely, Mr. Speaker, that when the members opposite are finished making the decisions on this program and others about agriculture, that rural Saskatchewan is going to barely exist any more as we knew it in the past.

And with that, Mr. Speaker, there are so many things that we should be pointing out to the minister responsible, so many things that I don't think that he has fairly and honestly considered when he made this horrendous error in judgement to totally wipe out the agriculture diversification fund and the mechanisms that surround it — we believe that there are so many things that need to be said about that — that all of my colleagues have decided that they want to talk about this very important issue. And we want and need time to get our research together to make sure that we can make a proper and fair debate out of this thing and to make it into the kind of debate that the minister himself can understand so that he can reverse his decision by at least introducing some new program to take the effect of the one that he's wiping out.

We know he won't be pushed into a corner. We know that he wants to save face. We're going to let him save face. We're going to allow him to do that. We want to give him some time to rethink his position and to come up with an alternate program that he can offer to the people of Saskatchewan and to us.

And so with that I would move that we now adjourn debate, Mr. Speaker.

Debate adjourned.

### Bill No. 10

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cunningham that **Bill No. 10 — An Act to amend The Vegetable and Honey Sales Act** be now read a second time.

**Mr. Toth:** — Mr. Speaker, the other day when the minister introduced the Bill — actually, it was on Friday last — and at the time, Mr. Speaker, I had indicated that certainly our caucus would make a determined effort to get the Bill out into the rural communities and talk to the individuals who would be directly affected by this Bill. And I would almost suspect, Mr. Speaker, that many of these organizations may not have even received the Bill yet since it just went out Friday, and who knows how our mail system works . . . (inaudible interjection) . . . And the member from Humboldt says, deep consultation. Well it seems to me that we want to be . . . We want to consult as well. We want people to know what's . . . We want people to get back to us with any concerns they have or to point out any defects in the Bill that would affect their industry.

The minister indicated the other day, Mr. Speaker, that

fruit growing is . . . or commercial production of fruit is a growing industry in Saskatchewan and we certainly don't dispute that. I think many people in this Legislative Assembly, my colleagues and government members, maybe even the Liberal members, are aware of the increase that has taken place.

As through the '80s . . . The government in the '80s worked and talked about diversifying and adding value added to our products in the province of Saskatchewan. And most recently the Minister of Agriculture even brought out a paper called *Agriculture 2000* where he suggested that if Saskatchewan is to move ahead in the near future into the future, we're going to have to look at alternate ways, alternate crop production and ways of putting that product on the market in a value added form versus just sending the raw product out of the province and then paying to transport it back. And with that we don't disagree. We certainly agree that we need to pursue avenues in which we can add more value to our product.

But it's also apparent, Mr. Speaker, that through the decade of the '80s and even into the early '90s, the commercial fruit and vegetable industry has probably grown beyond the anticipation of the government members of the day, the government members of today, and certainly what the government appeared . . . through the '80s. As many people were really wondering, are there individuals willing to take the time to diversify because I think, when you look at fruit and vegetable production, it's not quite as simple and not quite as easy as wheat production in the province of Saskatchewan. And maybe that's one reason it took so long for people in Saskatchewan to take a serious look at alternate crops and alternate methods of crop production. Because of the fact that while wheat prices were high, it was probably the simplest and the easiest crop to grow and a crop that you could pretty well depend on.

But we have seen through the last decade many, many individuals have diversified their farming operations. Why did they diversify, Mr. Speaker? They diversified, and they moved from the strictly wheat production into oil-seed production, and in some cases, people moved into the fruit and vegetable industry, and we've got a thriving industry. And I can understand why it's time we updated the legislation, especially when the last piece of legislation was the original, The Vegetable and Honey Sales Act was brought forward, introduced and passed in 1947. And that act provided for inspection, grading and packaging standards for vegetable and honey commercially marketed in Saskatchewan. But at that time, it certainly didn't anticipate the growth in the industry, and I can appreciate why the Minister of Agriculture has brought forward this piece of legislation, bringing the legislation up to date with the demands in the industry and certainly with the expansion of honey and vegetables in this province — vegetable marketing.

Mr. Speaker, we're all aware of a number of the products that are available. We're all aware of the growth industries. My colleague, this afternoon,

talked about the blueberry industry. He also talked about fish and granaries . . . (inaudible interjection) . . . Yes, farmers turning old granaries into avenues of production. Now it may not be along the basis of fruit and vegetable but it would seem to me if you can raise fish in an old granary, you can probably establish a mushroom plant or something like that, and get into commercial production.

But I know that one of the things that Saskatchewan is really noted for — and that was brought to our attention back in the World's Fair in Vancouver — was the saskatoon berry pies that were just being picked up. People were lining up for . . . and I think even if you . . . anyplace you go in Saskatoon, a restaurant that specializes and has saskatoon berry pies available, or wherever you go in this province — you will see people line up because it's something that we can really take pride in.

So I think, Mr. Speaker, Saskatchewan producers and individuals have shown that they have a knack for finding ways to get into alternate crop production. They're certainly interested and they've shown that they can find different sources and avenues of adding value to their product. And I believe it would be very appropriate. The government tells us they have done serious consultation.

Well, Mr. Minister, we have had a difficult time . . . we haven't had the same opportunity because we weren't aware of what was coming in this piece of legislation. And even though I can't adjourn debate, I would think that we would like to take the time to allow a few more individuals to speak on this Bill, as well as hopefully have a few days in order to allow some of the vegetable and honey producers who are interested in the impact of this legislation to get back to our caucus, Mr. Speaker, before we move further.

So at this time I'm going to take my place and allow someone else to enter the debate.

(1915)

**Mr. Boyd:** — Thank you, Mr. Speaker. During the second reading of this Bill, the minister stated that the commercial production of fruit is a growing industry in Saskatchewan, and we in the opposition certainly agree with this assessment. There are many producers in Saskatchewan who produce fruit in an effort to bolster their farming operations.

This Bill will allow for the establishment of these regulations dealing with marketing of these products. Because this Bill affects many producers with . . . Our caucus is in the midst of consulting with those various groups and individuals. Regulating an industry can have both positive and negative effects, Mr. Speaker. We want to ensure that this legislation is what the producers want and need. Because we have been unable to complete our consultations in such a short time between the introduction of this Bill and the second reading, I ask that this Bill now be adjourned for a second time.

Debate adjourned.

## Bill No. 15

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. MacKinnon that **Bill No. 15 — An Act respecting Certified General Accountants** be now read a second time.

**Mr. Toth:** — Thank you, Mr. Speaker. As I indicated the other day that we would like to have further opportunity to review this Bill. And I'm just going to make a few short comments, and one of my colleagues, or two or three, or maybe some government members want to respond. Although one of the things we have found with a number of the Bills that have come forward is that a number of the Bills that we have seen to date really are just housekeeping Bills, and we certainly aren't going to spend a lot of time just speaking in this House and trying to drag the Bills out. But we also would believe that it's appropriate that the opposition have an appropriate amount of time to consult with individuals who would be affected by the legislation before it comes forward, before we allow it to proceed through second reading and into committee.

I think at this time, Mr. Speaker, I will allow one or two of my colleagues, or any government members, to speak on this Bill if they so feel it and just make some comments before we would ask for further adjournment.

**Mr. D'Autremont:** — Thank you, Mr. Speaker. This is a new Bill, Mr. Speaker. It's not an amendment to a piece of legislation that was already in place so it's going to have an impact, Mr. Speaker, on the general accountants of this province.

I think it's very important that the people who will be affected will have the opportunity to review this piece of legislation, to make their views known both to the government and to the opposition members. There may well be something within this Bill that needs to be revised, needs to be changed, that perhaps amendments need to be put forward to make any corrections or any changes that the accountants wish to have placed before this Assembly, Mr. Speaker.

Therefore I feel that it's necessary to have a certain amount more time, since this Bill was just presented last week, for people to have a look at it. At this time, I would move adjournment of debate, Mr. Speaker.

Debate adjourned.

## COMMITTEE OF FINANCE

### General Revenue Fund Environment and Resource Management Vote 26

**The Chair:** — I'll ask the minister to introduce his officials, please.

**Hon. Mr. Wiens:** — Thank you, Mr. Chairman. I'd like

to first of all introduce Michael Shaw, the deputy minister of Environment and Resource Management on my right. Behind Michael is Les Cooke, the associate deputy minister in charge of policy and program divisions. Directly behind me is Ross MacLellan, the assistant deputy minister in charge of operations division. On my left is Bob Blackwell, the assistant deputy minister in charge of the management services division. And on his left is Donna Kellsey, the director of financial and the administrative services division. I welcome my officials.

#### Item 1

**Mr. D'Autremont:** — Thank you, Mr. Chairman. Mr. Minister, officials, welcome this evening. I notice it takes a lot of officials to keep the Department of the Environment and Natural Resources going. Perhaps, Mr. Minister, you could explain the purpose of your department and what has happened within it in the last year in context of the amalgamations of the various departments.

**Hon. Mr. Wiens:** — Thank you very much, Mr. Chairman. I appreciate the question. On March 17 last year, we amalgamated the Department of Environment with what was previously the Department of Natural Resources. This brings us very much more focused into a sustainable development approach within the department, where the issues of development and environmental management appear as part of the responsibility of this one department. Just in summary then the responsibilities that this department now exercises are the responsibilities for the environment, for forestry, wildlife, fisheries, and parks as well.

**Mr. D'Autremont:** — Well thank you, Mr. Minister. I think we'll have an interesting discussion this evening with that large amount of Saskatchewan property that we have under your department.

Mr. Minister, how many people are now employed within your entire department, and how does that compare with before amalgamation?

**Hon. Mr. Wiens:** — Mr. Chairman, in response to the question. The two departments combined — if the numbers I have here are correct; I believe they are — had 1,378 employees when they were separate and independent. The combined department now has 1,314 employees.

**Mr. D'Autremont:** — That's a small decrease in the number of employees. I'm sure the people who are no longer there don't think it's small, but ... What areas were those positions eliminated in?

**Hon. Mr. Wiens:** — Last year most of the reductions, Mr. Chairman, were reductions in administration efficiencies resulting from the integration of the department and a general move across government to increase the administrative efficiency of government. Other departments made parallel adjustments. There is a small decrease this year of 10 employees, mostly from the parks area, and eight of those took early

retirement, so we've tried to minimize the impact on real jobs here for people.

**Mr. D'Autremont:** — Thank you, Mr. Minister. You say that the majority of the people who are no longer with your department came out of the administration area; however, I notice in the budget documents that the estimates in '93-94 were for 7.315 million for administration. In the '94-95 book, your estimates for the '93-94 year were 7.412 million, which is a change of almost a million ... \$100,000, excuse me. Why that discrepancy in there?

**Hon. Mr. Wiens:** — Mr. Chairman, I believe the record, as I am reading it, says that there was a reduction in administration from \$7.5 million last year to \$7.3 million this year, which would be consistent with the reductions I've spoken about.

**Mr. D'Autremont:** — Okay, 7.315 was the figure that you gave in the budget last year, in the budget documents of last year. In the budget documents of this year, the number for last year's estimate is 7.412. That's on page 42 on the top right-hand corner — those figures. Can you please explain that difference?

**Hon. Mr. Wiens:** — Mr. Chairman, I'd ask the member to look at the issue he's asking us to look at, and look down to where the sum is for each of those two years, '93-94 and '94-95, where the number for '93-94 is 7.539 million as it is in this year's budget record, and the total is 7.332 for this year. There is a line in between there where \$127,000 was added in each case.

**Mr. D'Autremont:** — Well thank you, Mr. Minister. In the *Supplementary Estimates* for '93-94 we see under Environment and Resource Management an additional \$11,000 allocated to your department. What was that for, Mr. Minister?

**Hon. Mr. Wiens:** — Mr. Chairman, the \$11,000 you refer to would be simply an administrative expense slightly over the budgeted amount but slightly in excess of it, yes.

**Mr. D'Autremont:** — So there was no particular item that caused the administration to exceed its budget by \$11,000?

**Hon. Mr. Wiens:** — My officials tell me that there were two additional fund audits that were created last year which account for that money. There were \$7,300 spent on the audit of the environmental protection fund and \$3,000-and-some spent on the audit of the forest renewal development fund.

(1930)

**Mr. D'Autremont:** — Okay, thank you, Mr. Minister. In item no. 2 on the Environment estimates, we see accommodations and central services. I'm assuming that is monies paid out to another government agency. Is that correct? And if so, how many agencies does Environment and Resource Management pay funds to?

**Hon. Mr. Wiens:** — Mr. Chairman, thank you for the question. You're right, this is the payment to another department of government, the Saskatchewan Property Management Corporation, and that is the only agency to which we pay rental fees.

**Mr. D'Autremont:** — Thank you, Mr. Minister. It's interesting to note that in this year's budget there's a significant increase from last year's spending on this — almost \$400,000, slightly less than \$400,000. And it's interesting that this is one of the major increases in the Environment budget and that it's monies that goes to another government agency.

So what's happening here is that monies can be pushed through the Environment department to allow SPMC (Saskatchewan Property Management Corporation) to make a profit, and you're simply redirecting government funds which go back through CIC (Crown Investments Corporation of Saskatchewan) which can then be turned around and allocated back to the Consolidated Fund as a dividend from CIC or held up within CIC itself to be turned back to the government at some other time which would be deemed appropriate by the government.

Why this increase, Mr. Minister? What are you getting now that you weren't getting last year?

**Hon. Mr. Wiens:** — Mr. Chairman, first of all the Property Management Corporation is not a CIC Crown nor is it put in place to make a profit. SPMC is there to act as a facilities corporation for government to access facilities at the best cost.

What happened last year, I believe, is that there was an underestimate of the value of the space that was needed for the department. The correction was made for this year, as the object of these exercises is simply to properly allocate costs for the space that government departments need.

**Mr. D'Autremont:** — Well again, Mr. Minister, in the *Supplementary Estimates* accommodations and central services took an extra \$220,000 last year. What was that for? Was this for the additional space? You said you went from 1,378 employees to 1,314. I would think that if you have less employees within your department, that you would need less space; so why do you need more space?

**Hon. Mr. Wiens:** — Mr. Chairman, in the process of estimating the impact of space requirements as the two departments were pulled together, there was an underestimate of the space required. So this is not a case of needing more space. As the two departments were amalgamated last year the reality was that more space than had been predicted was required. The cost of that space is the difference that shows up increased in this year's budget. It was just written off last year.

**Mr. D'Autremont:** — I'd like you to explain, Mr. Minister, what you mean by written off last year.

**Hon. Mr. Wiens:** — Mr. Chairman, I would ask the

member to hold that question for when the minister in charge of Sask Property Management is here to answer the detail of the administration of Sask Property Management Corporation. But as I say . . . As I recall it, and if I need a more detailed answer than this you can ask me, is that allowances were made for the department to pay the additional fees last year. It was an adjustment made within government to allow for the greater space required over the estimates that had been anticipated when the amalgamation occurred.

**Mr. D'Autremont:** — Well, Mr. Minister, you're certainly managing to confuse me on this one.

You're saying that it was written off last year, that the government . . . that SPMC allowed you to have additional space, but then you have this additional \$220,000 that was charged to accommodation and central services on last year's estimates, '93-94, Mr. Minister.

Now did you pay for the additional space that you received? If so, was it the \$220,000, or where does it come into the budget?

**Hon. Mr. Wiens:** — May I try to put this clearly, and hopefully finally, for the member opposite, Mr. Chairman.

As I said, when the estimates were made for the departmental requirements, the savings were overestimated and in the process of them going through the year and finding what the real need was, the department absorbed some of the \$400,000 excess you see in the movement from last year to this year and in the *Supplementary Estimates* they were provided with the difference to make up the difference, the total of which now appears in this year accurately for next year.

**Mr. D'Autremont:** — Thank you, Mr. Minister. I think we have that one now.

Is there or are there any other payments which your department makes to any other government agency or body, such as central vehicle leasing. I don't know where your department gets its vehicles from. Are there any other payments from your department to another government agency?

**Hon. Mr. Wiens:** — Mr. Chairman, the major part of any payments that are made to other departments go to SPMC for accommodation as just discussed. For vehicles that they provide, SPMC operates the Central Vehicle Agency. Then there are, because we operate the park systems, the direct expenditures on power in the parks, and of course the operation of the department through telephones, so SaskTel, but in terms of direct other arrangements, the vehicles and the facilities are both provided through SPMC.

**Mr. D'Autremont:** — What was the change, Mr. Minister, from last year's estimates expenses on SaskPower, '93-94, to what you're estimating this year, '94-95?

**Hon. Mr. Wiens:** — Mr. Chairman, I'll take notice of that question and provide the answer to the member directly when we can get that information.

**Mr. D'Autremont:** — Thank you, Mr. Minister. Could you also provide that information for SaskTel and SaskEnergy?

**Hon. Mr. Wiens:** — Yes, thanks, we will.

**Mr. D'Autremont:** — Thank you, Mr. Minister. What other items would we find under accommodation and central services? When I read through the list here, it doesn't talk anything about vehicles. What other kind of items would be found in there that might be significant or that I would think are significant, that aren't listed?

**Hon. Mr. Wiens:** — Mr. Chairman, I thank the member for the question. The issues for which this subvote provides are listed here. And the reason vehicles are not listed in this subvote, as we answered before, the vehicles are provided through SPMC. But they are provided in a number of locations throughout the budget within those units where these services are required for the vehicles. So the vehicles actually don't come under this subvote. So this subvote here lists those items that are paid for through here.

**Mr. D'Autremont:** — Thank you, Mr. Minister. How many vehicles then would your department be operating that belong to SPMC or any other agency?

**Hon. Mr. Wiens:** — Mr. Chairman. The department uses about 450 vehicles. Most of those are field vehicles in the wildlife and forestry and parks administration.

**Mr. D'Autremont:** — Has this number changed since last year? Is it basically the same?

**Hon. Mr. Wiens:** — Mr. Chairman, it's basically the same number.

**Mr. D'Autremont:** — Thank you, Mr. Minister. Since it's basically the same number, what has been the effect in the last year on your vehicle expenses, last year, and what are you estimating this year?

**Hon. Mr. Wiens:** — Mr. Chairman, to the extent that those can be accumulated, we will accumulate them and forward them. There may be some need to wait for SPMC rate setting before the final, exact number can be determined in each branch. But we will get you the most accurate information we can get you now, and if there's significant change, we will do it another day.

**Mr. D'Autremont:** — Thank you, Mr. Minister. Can you break that down? I'm not sure whether your department pays for the fuel costs in those vehicles or if that's paid for by SPMC. Can you break that down as to the fuel costs for your fleet of vehicles, and also for the licensing cost for that fleet, if you are responsible for that?

**Hon. Mr. Wiens:** — Mr. Chairman. Those costs are through SPMC. We can undertake to get the information for you through them, but it . . . and if you wish that, we will. But this is more directly an expense of SPMC.

**Mr. D'Autremont:** — Thank you, Mr. Minister. How do you break down the costs from SPMC for each vehicle? Do you pay a flat rate per vehicle or do you pay the operating expenses or how does that work, Mr. Minister?

**Hon. Mr. Wiens:** — Mr. Chairman, SPMC sets a rate per vehicle plus the operating costs that are incurred by our department.

**Mr. D'Autremont:** — Thank you, Mr. Minister. Well then you should be able to find that information from your own department as to the operating costs for those vehicles. And I would suspect SPMC perhaps has that information also. But if you're paying it out of your budget, then you have that vehicle and I would request that you provide that, please.

I'll go down a little further under subvote 3, environmental assessments. Environmental assessment program. What's involved in that, Mr. Minister? And I notice that there's a decrease there of almost \$90,000 in funding. If you can explain that, please.

(1945)

**Hon. Mr. Wiens:** — Yes, Mr. Chairman, I would like to respond to the question the member asked. There are two items in the sub-programs there where reductions are budgeted for this year. In the first case, it is a reduced estimate for public consultation on legislation that's expected. There's a lower number there expected than we had anticipated. And on the Uranium Board of Inquiry, we pay our share of the costs to the Uranium Board of Inquiry, and it's simply a cash flow. And it's anticipated that the amount of money required by the Uranium Board will be lower than it was last year.

**Mr. D'Autremont:** — Thank you, Mr. Minister. I hope when you say that you're spending less money on public consultation it means you have less items to take out to the public, rather than you're going to consult less with the public on the items you are bringing forward. Mr. Minister, I think it's very important that people have the opportunity, that the general citizens of this province have the opportunity, to make their views known whenever a piece of legislation comes forward, particularly when it's dealing with the environment.

We've seen perhaps, in the last year, that environment has taken a back burner position in the public view. But I think, Mr. Minister, that it's still very much in the forefront of the consciousness of most people in this province. If you talk to the children in the school system, they are very aware of the environment and its importance and think that it should be front and centre

in most issues.

And I would hope that when you say less public consultation, you're not trying to exclude the people from participating in this issue. I think it's very important that they be given an opportunity to speak — and not just speak in Regina and Saskatoon, but speak across this province on those issues. Mr. Minister, what items are you planning to spend this \$590,000 on?

**Hon. Mr. Wiens:** — Mr. Chairman, I want to thank the member opposite for the number of comments that he has made. I want to assure the member that there is a much stronger focus on public consultation now than when his colleagues were in place, and I want to ensure the member that the department believes that's valuable and will continue to work in that direction. There was provision last year for some special consultation on The Environmental Assessment Act. That consultation has been completed and we'll no . . . that money will no longer be required in the budget.

But I can tell you that as a matter of public interest, there is . . . environment is not on the back burner in terms of the public interest. I think the public acknowledges this to be one of their most important issues, but they believe that it is being well managed. And I can tell you that the minute that issue is not well managed — as the members opposite might remember from their days on Rafferty — the public will be very quick to respond and let you know that something's not well managed.

The department is focusing very much on participation and policy making, on consensus processes where possible, and in every front where we have major discussions these processes are being engaged. We will be beginning a new process on wildlife issues, quickly, where all the stakeholders with a significant interest will be at the table. And this is the approach we've used on used oil and many other things.

I can tell you as well that a couple of issues that have been controversial in my time in this portfolio are issues that resulted from a sense that some people had not felt involved in the discussions around the regulations when they were established.

With respect to the underground storage tanks that your colleagues . . . when your colleagues passed the regulations a number of years ago, which are now coming into force, there was a sense from the small-business owners that they did not have an opportunity to participate and have their voice heard. It does not mean the results didn't have a significant validity, but it does say that your colleagues erred in not allowing a significant part of the community that was affected by regulations to have a say at the time when they were introduced.

And I can list other examples, Mr. Chairman, of similar sorts of examples where the public ought to have had a greater say because it's their lives that are being affected. And we are extending the consultation

as broadly as we can now to try to make up for some of the errors of the members opposite in years past.

**Mr. D'Autremont:** — Well thank you, Mr. Minister. Indeed there was, say, lack of consultation with some projects in the past, particularly Rafferty and Alameda. Well, Mr. Minister, I attended a number of meetings throughout my corner of the province dealing with those particular issues where people had the opportunity to express their opinions. Maybe not everybody agreed with what was being said, and not everybody agreed with what was being done, but people did have the opportunity to express themselves.

On the issue of the underground storage, I'm afraid I don't know what happened there. I wasn't following the issue at all. But, Mr. Minister, people learn by finding what happened before and learning from those examples what was right and what was wrong. And indeed the public has grown with the environmental issues. Ten years ago very few people wanted to have input. They didn't understand the environmental issues. They had no particular interest in them unless they were directly affected.

People are now realizing that even though they may not own a service station that has an underground storage tank, they are affected by the decisions and by the actions that are taken there. Today the people who have the underground storage tanks want to have more consultation with you and your department. They're not happy with what's happened five years ago, they're not happy with what happened two years ago, and they're not happy with what's happening now.

They need to be able to sit down and talk to you. Your department and yourself need to go out and talk to the people affected. And it's not just the people who own the sites that have the underground storage, but it's the communities, it's the RMs (rural municipality), it's the urban municipalities, it's the financial institutions who may be left holding the bag for the costs.

I saw an article dealing with an issue in the St. Lawrence. The federal government is looking at a ship that sank a number of years ago that still contains oil. They're going to remove this oil and float the ship out of there and salvage this product before it pollutes the St. Lawrence River and causes a major environmental damage. But who's going to pay for that, Mr. Minister? The federal government is going to pay for that. Obviously at some point in time somebody owned that oil and somebody owned that ship, but they're not the people who are picking up the bill for this.

When you look at the underground storage tanks, yes, today somebody still owns that site, most likely. There are a few sites that titles are not clear, but in general somebody owns that site. But the person who now owns that underground storage tank was not the sole person to benefit from the fuel that was stored there or the fuel that was sold out of that site. The government benefited.

If you look at your taxes right now on fuel, the government takes about 50 per cent. It might even be more than that. The oil company whose name was on the sign benefited from the sale, and the owner of the site benefited from the sale, Mr. Minister. I think there's a policy decision here that needs to be made by government as to what is their responsibility in this issue.

You're looking at costs right now of 20 to perhaps \$300,000 to clear up some of these sites if it's needed. Well the individual small town, rural Saskatchewan service station cannot possibly pay those kind of prices. The \$20,000 he might be able to handle, but he certainly is not in a position to handle 2 and 300,000 — especially when the fuel that went through that pump the government got 50 per cent of the benefit for.

So, Mr. Minister, I think that when it comes time to consult with people, that's one of the items that needs to be consulted about. You need to go out to the public and talk to them as to what they think should happen on those underground sites. Who should pay?

If you've got one part per million of gasoline outside of that fuel storage tank, is it important that the tank be removed? Is it important that all the soil be removed? Because what happens to that soil when you remove it? You simply take it to another site, spread it on the surface, and allow that fuel to evaporate.

Now are you causing more pollution by allowing that fuel to evaporate into the atmosphere than you would by having left that small amount of contaminant in the soil, Mr. Minister? So I think there's some very big policy decisions here, and some very big issues that you need to address, and I'd like to hear your views on that, Mr. Minister.

**Hon. Mr. Wiens:** — Mr. Chairman, I appreciate the question of the member opposite, to allow me a chance to respond briefly to it.

First of all I want to say that, thankfully, things do change. I'm not sure exactly what the hearing process was during the Rafferty-Alameda debate, but I'll tell you one thing: no one would have accused the government of the day of having listened to whatever consultation they engaged in. And I can tell you, that by . . . I'll tell you that by contrast we set up consultations with the purpose of listening.

I want to say that one of the very first groups of people that met with me when I took over the responsibilities for the Department of Environment was the group of concerned citizens from the constituency of the member from Last Mountain-Touchwood. And we had a discussion through which I initiated a review of the regulations that we inherited. And as a result of that review, we established an action plan which is allowing a longer period of time for people to comply with the regulations as set out by the government of your party earlier.

I want to say as well that inherent in the question you

ask are a number of myths. The purpose of the regulations, and as we've adjusted them, is not first to deal with contamination. The hope is that we prevent contamination. The hope is that no underground storage tank ever leaks and I think it only makes good business sense to try to work with service station owners to ensure that storage tanks never leak.

The fact is when tanks approach 18, 20, 25 years, they are virtually guaranteed to leak. So the purpose of the regulations is to anticipate when such environmental damage might occur and, in everybody's interest, replace them or provide protective mechanisms so that they will not leak, before some environmental contamination takes place. I hope nobody would disagree with that basic intent.

Then if one finds that leakage has occurred and there is a hazard as a result of it — and there are many hazards that can result from leaking gasoline tanks including vapours finding their way along buried lines to people's basements and causing explosions; including getting into aquifers or penetrating plastic fittings in water lines, resulting in chemicals in the water which can be cancer producing — when there is a leakage that is a hazard, then there needs to be a clean-up.

The dilemma is that these are real business costs, as much as it is part of the real business cost of a farmer to put in the crop and to control weeds and to control pests. So it is a real business cost to replace a tank that has worn out, and the dilemma and the dilemma for which I have a great deal of empathy is that for a number of small service stations, the annual cash flow is not large enough to pay for this real business expense. Yes, in some cases, there has been a previous leakage, but that isn't necessarily the case in many of them.

The fact is that here is a facility that is getting older, that is not doing the business it used to do, and to actually do the business of protecting against spillage by replacing these tanks before they leak, is a business cost that is very difficult for many of these service stations to endure.

(2000)

We have, as a result, in our action plan, allowed the communities to decide whether there will be an extension of time, because it is the community that in some senses is affected by either the closure of the facility, or any increased hazard by an extension. So we've asked the community to provide a judgement with us so that it is a community judgement on whether extension should be provided, and we will try to be sensitive in that regard.

Additionally, I've set up a task group which involves the full spectrum of people involved in the service station industry. And I'm expecting a report from them shortly to receive further advice from them on what we ought to be doing with respect to managing this very sensitive issue, so that we do in fact practise sustainable development, paying attention to the



economics, the environment, and the impact on the community.

**Mr. Toth:** — Thank you, Mr. Chairman. Mr. Minister, coming back to our underground tanks . . . And you could argue that yes, I was part of the government that last few years in the 1980s. But I can tell you this, Mr. Minister, that had myself and a few of my other colleagues had our way, Mr. Hodgins wouldn't have had the ability . . . and I'm not sure if that's one of the reasons he left this House on that whole argument over the environment question — but we had some very significant arguments on that. And I think some of your staff around there may know of some of the discussions that took place even on some of the legislative review at the time.

But, Mr. Minister, when it comes right down to it, what serious studies has the department entered into to justify or to say that tanks after they're 25 years are probably faulty or leaking or that every tank leaks and that we've got to . . . Just because a tank is 25 years or a service station has been in business for 25 years, it's time to dig them up regardless of whether a person has just bought the business, has only been in business for two years and really doesn't have the kind of revenue to justify the changing of the tanks.

It would seem to me that there may be a lot of tanks out in rural Saskatchewan, and I think when you get down to it even the agricultural sector . . . When you look at the problems that are going to be faced with this legislation that's coming forward and who knows what we're going to have two or three years down the road, there isn't going to be a citizen across this province that will not be affected by one little department of government.

And I think, number one, I'd like to know what kind of intensive studies were taken; whether or not there were in these studies a process that the department can go out to a site and determine whether or not there are actual problems with that site that would justify, simply because of a time period, that tank should be removed or that a site should be cleaned up. I wonder if you could respond to that, Mr. Minister?

**Hon. Mr. Wiens:** — Mr. Chairman, the previous member had talked to us about consultation. I want to say that in the process of managing environmental affairs we have, I think, with the Canadian Council of Ministers of Environment, one of the best examples of trying to bring reasonable measures together on important environmental issues so the public has a chance to speak through all the stakeholders in the community on important issues.

And there have been a number of important issues around which this has happened in my time as president of the Canadian Council of Ministers of Environment, and in the time since then, where to deal with forestry and energy and other kinds of issues we have brought together stakeholders from every sector to advise us on what we should do on contaminated sites, on a number of issues. So that then you have a national framework for discussion of

these issues within provincial jurisdictions.

I'm not sure that the process was complete at the national level with respect to underground storage tanks when the discussions took place in the province, but there was some western guidance generally on the issue of the corrosion of steel underground storage tanks. And the initiatives indicate that once tanks are in excess of 15 years old, they start representing a very high probability of leakage.

There is another factor with respect to tanks, which is static electricity. I've spoken with feedlot operators who have purchased tanks which have been dug up, which have not been cathodically protected so that the static electricity does not become an agent for corroding the tanks, where tanks that have only been in the ground five or six years have been severely pitted. And that information, I think, is accepted generally as the reason why one of the protective mechanisms that service station owners are now requested to use — if they put steel tanks in — is cathodic protection so that this electrical impact on pitting the tank does not take place.

I guess I would like to see any evidence that suggests that's not right. We can provide studies that have formed the background for this general approach, but I think more importantly it is not the question of whether steel tanks rust or corrode when they're underground. We know they do and we have a pretty good idea about how long they are safe in that environment. The important thing is that we anticipate that as closely as possible, that we change those tanks and protect those tanks. We allow them to live as long as they can by adequate protection, but that we change them before they do spill some of what they contain into the environment and cause a hazard to the environment. And we're attempting to, through adjustment of the regulations, make these as sensitive as we can and, as well, through adjustment of the regulations, make the clean-up as low cost as can possibly be made under the circumstances.

**Mr. Toth:** — Well thank you, Mr. Minister. Mr. Minister, we're not disputing the fact that steel tanks aren't going to rust and corrode and eventually create a problem. What I was basically asking: what criteria was developed in all the studies you've done that would suggest . . . I would think that there would be . . . in your studies you would have determined that under certain soil conditions tanks break down. Some tanks . . . steel breaks down quicker than in other conditions. And to just say, let's say after 15 years steel tanks are obsolete or I mean they've outlived their usefulness, they must be dug up, it would seem to me that you'd have a process where you could do some studying and assessing, maybe through soil samples or whatever, that would determine whether or not is essential that those tanks be dug up and new ones put underneath.

And I'm wondering if you could, first of all, give us tonight any studies that you have done, or the studies you have done. Release those studies to us so we've got some information on it.

And as well, in the process of all the study that has been undertaken, are there some alternate methods whereby you can test these sites prior to, rather than just going in — whether it's a service station operator, whether it's, say, on a farm or a manufacturer's site — that you can assess how much damage, if any damage, and maybe it's an ongoing thing once you've done a test?

If that site is still clean, if you will — no contaminants, no problems — then it would seem to me that that site should be allowed to operate to the point . . . with the understanding that eventually it's going to have to be probably cleaned up. Or I shouldn't say cleaned up, but maybe the tanks removed and new tanks put in.

But we must have . . . surely there's a process that allows for some testing of these sites so that we're just not demanding every 15 years that steel tanks be dug up. Because as I said, I would think there are different soil conditions all over the province and the rust factor would be different under these soil conditions.

**Hon. Mr. Wiens:** — Mr. Chairman, I agree with the member opposite that varying conditions may well cause a difference. As I had indicated earlier, the probability of leakage increases very quickly after 15 years. The limit that we have placed on the length of time a steel tank can be in the ground is 25 years. Till then it can be demonstrated that these tanks are not leaking, they will not have to go if they're not in a Class A site, they will not have to be upgraded. And according to the regulations as we . . . or according to the action plan that we have put forward.

But I think the member forgets one thing which we should not forget. This is not an issue of government; this is an issue of business cost. The member opposite is talking about the potential leakage of a tank or their needs to replace it as though this were first a government concern. It is a government concern only in that if it ever starts to leak it is a public hazard and therefore a concern of my department.

But this becomes very much a business proposition for the service station owner. If the service station owner extends the life of the usage of a tank to avoid a \$20,000 capital outlay — or whatever it would be to replace the tanks — and as a result suffers contamination of the soil that might cost \$40,000 to clean up for having stretched it two, or three, or four years longer than was advisable, this is a real business cost for the owner. And our involvement in this is only as trying to identify the issues of public safety, public health, and the impact on the environment of what happens when you let it go too long. Therefore the regulations as we've put them in place, and therefore trying to fine tune them to minimize the impact.

But at the end of the day, just like if the brake line breaks on my truck, and I run into the side of my barn or whatever and cause damage, that's not a good business judgement on my part. I would have been better off to have addressed that safety concern on my vehicle before it caused additional damage. And so is

it with owners of service stations that have tanks. It doesn't take away any of the financial dilemmas that your colleague raised earlier, about how do you pay that cost. That's a difficult question, especially for small service stations when their cash flow's not high. I acknowledge that. But much of this is a real cost of doing business.

Once a steel tank is of a certain age, there's a risk of it leaking, there's a certain capital cost in replacing those tanks. But there is a more severe cost if they're not replaced, and leakage occurs, and the soil remediation has to take place. We can be as sensitive as we can about all of that. We can review the regulations to make sure that they are not too harsh, make sure that we properly balance the environmental concerns and the business concerns. But at the end of the day, to allow a tank to leak and create that extra expense is a business judgement, and if it's allowed to happen, it's not a wise business judgement.

**Mr. Toth:** — Thank you, Mr. Chairman. Mr. Minister, certainly I think anyone running a hog operation might have trouble keeping the brake linings right up on their trucks.

Mr. Minister, certainly when you talk about fuel tanks, and I think any small dealer whether they are an independent dealer or working with a large corporation, I'm not sure what the process is, but I would think that any dealer out there would be very foolish if they didn't have a measure or some way of measuring their tanks on a nightly basis because yes, it's going to be dollars out of their pocket if their tank starts to give them problems. So I would think that most dealers who are being very shrewd and honest business personnel will do everything in their power to guarantee that they don't have any leakage.

And I would also trust and hope that as we're changing and developing regulations, that our developing methods that we can use to . . . and I believe you already have some, as new tanks are put down, different ways — I don't know if you've got what you call snippers and other avenues of checking the tanks, so that down the road you've got an avenue that you can check rather than just digging up, to see indeed, just to measure whether or not this tank is really leaking, other than the process today.

(2015)

But it would seem to me, Mr. Minister, there must be a process in place. And you indicated that you're working with groups to allow for a time period. And I think one of the areas, one of the communities that has hit the news and even the national news, is certainly the community of Wapella — struggling just to keep one service station in business.

And it wasn't the fact that they did have two; the one just ran into problems, a business problem, and had to close the doors. But the other business, and I believe the tanks have only been in eight years — it's a fairly new business — and I think one of the problems, what

happened in this situation and maybe happening across, especially rural Saskatchewan, maybe even urban Saskatchewan, is the fact that some of our major oil producers or companies are using the changes in regulations as a means of getting out of providing some of the small, independent dealers with their fuel.

And it would seem to me that if we can work with our small dealers; work with our small fuel dealers, whether they're independent dealers or whether they're working for a company; if we've got methods of testing and of course, today I trust, as with the regulations, we've got the type of equipment that can be installed that, who knows, maybe these tanks can last a lifetime, more than 25 years, maybe 50 years, maybe through two or three dealers, depending how long an individual maintains a business — although nowadays businesses change hands, it seems, in 5 or 10 years. They don't last through the lifetime of one operator and then pass on to the next generation.

So these are some of the concerns I'm raising, Mr. Minister, and the fact that I think people are asking out there, number one, let's design some mechanisms that give us the ability to test and not just run around the province digging up a site because it's 15 years old.

And also as my colleague mentioned, I think maybe we need to look a little bit in the long term as well as the fact that the overall impact, I don't think, should be strictly borne by the dealer themselves. I think maybe the major companies have a factor, and I think it's government that puts down the regulations. It's government that brings in the regulations and it seems to me . . . and certainly we derive a fair bit of revenue. It seems to me that government possibly could be a member, or should be a member as well in some of the changes, not only the changes, but helping with some of the clean-up.

**Hon. Mr. Wiens:** — Mr. Chairman, on some of the topics that the member raises, one in particular I am not in a position to comment authoritatively, what the motivation of the big oil companies has been in rationalizing their system over the last number of years, whether it has been in fact as the member opposite suggests, to try to minimize their risk through these kinds of ventures. That's a question somebody else will have to answer.

But I want to say that there are dilemmas with the traditional measuring of tanks in that, because of temperature changes and volume changes that I'm sure the member opposite learned about when he was taking grade 10 science, fuel can be pumped into a tank at one temperature and represent a different volume when it cools down or whatever the fact may be, so that there are errors there. And it's my department's advice that often when leaks are found in service stations, companies have kept decent records and have found in spite of that that leaks have occurred that they have not detected, because it doesn't take very much every day to amount to a significant spill.

But again, as the member opposite has suggested,

there are new mechanisms now to deal with that in addition to the cathodic protection we talked about for steel tanks underground which reduces the rate of corrosion. There are piezometers which are installed in the areas near the tanks which do provide a measure of gasoline fumes that would result from spillage. We're going to be requiring better tank level alarms that identify when tanks are going to be full so that they don't spill through the filling process. And generally we're looking at ways of sensibly avoiding spills and sensibly extending the lives of tanks as long as we can.

As I may have not mentioned explicitly before, we have given a one-year extension to all service stations from the original due date of the regulations as passed by the members opposite. And then in areas that are not high-risk areas, extensions beyond that are going to be allowed for people to address the questions of the safety of their facilities and the environmental soundness of their facilities as sensitively as can be done, recognizing that these are major expenditures for small service stations particularly. We have no lack of empathy, as I said before, for the difficulty this kind of investment causes.

I think we need to remember that if we don't make the investment in preventing the tanks from leaking, then the costs associated with clean-up are even more difficult to handle and, at the same time, pose risks to both humans and other parts of the life systems that support us.

**Mr. Toth:** — Mr. Minister, how does the department determine the damage that is going to be caused by a leak? How extensive before they would call for a digging up of the site or a clean-up of the site? How do you determine that?

**Hon. Mr. Wiens:** — Mr. Chairman, I don't have the concentrations with me, but they grade the concentrations according to the nature of the area, the nature of the subsoil, the nature of the aquifers nearby. And while some level of contamination is allowed if there is no hazard to the public, these gradations are all according to measures of risk. So it very much is a risk management approach. I could forward to you the department's guidelines in this regard if that would be helpful to you.

**Mr. Toth:** — I think it would be appropriate, Mr. Minister. I certainly wouldn't mind seeing those guidelines.

Mr. Minister, the reason I ask that is because a lot of questions are being asked as to how we go about the process of clean-up. And many people would wonder why in the world we would dig up a site. If you've got a good clay base it would seem to me that product isn't going to move through that clay base that significantly. It probably will stay in that format versus digging it up, hauling it out, and spreading it out on the surface and discing it.

Where are the toxins going, Mr. Minister, if they're not seeping off into the air? They're evaporating into the

air. It would seem to me we would be just as well to leave it in the soil where it presently is if it's not really moving anywhere, rather than putting it out on top, spreading it out, trying to get it to evaporate. Or if we happen to get a rain — which we tend to get once in a while in the province of Saskatchewan — then it would seem to me that it leaks back into the soil. I for one have a hard time trying to understand how in the world this is called a clean-up if it just seems to me that all we're doing is adding to some of the environmental hazards we're trying to protect ourselves from.

**Hon. Mr. Wiens:** — Mr. Chairman, I appreciate the question the member opposite is asking. These are all questions that I had a chance to ask very early in my portfolio because people asked me those questions as well, and they continue to. I make a point of asking wherever I stop, when I'm travelling across the province, to find out how these regulations are affecting people and they almost always tell you.

And the other reality is I have difficulty going to church on Sunday, or to choir practice on Tuesday nights, or anywhere else for Christmas dinner where somebody isn't raising these very questions that you ask. And I think we shouldn't underestimate the extent to which people feel these questions and need to understand the basis for these actions. And I appreciate the questions being asked because this provides one more opportunity to try to provide some understanding of the reasons why these issues need to be addressed albeit as sensibly as possible.

I asked the very specific question that you asked about heavy clay, saying it wasn't my opinion that gasoline would travel far in this clay. And yet I'm told that right here in Regina there is contamination in this heavy clay here going down 90 feet in places where leaks have occurred. We cannot assume that once the gasoline is in the environment that it will not migrate somehow, somewhere.

As I was having a discussion with a friend of mine who was once my student when I taught science in Milden more years ago than I want to acknowledge, he said . . . when I said this program was going to be on W5 a few months ago, he said come and have them talk to the people in our building in downtown Regina where we now are having to completely alter the ventilation system to keep the gasoline fumes out of this building, because from somewhere gasoline is migrating through Regina heavy clay, through somebody's parking lot walls into the air system of the building.

We need to acknowledge that gasoline, once it's exposed and free, will travel somewhere, hopefully not too far and hopefully not doing too much damage, but it can't simply be ignored. And hence when a clean-up is required, the member opposite asks the question of what sense it makes then to dump it on the land.

That technique is called land farming and the purpose of it is to expose these hydrocarbons that are in fuels to microbial action so they are broken down to carbon dioxide and water in a harmless fashion. When

contaminated soils are dumped on a surface they are not simply abandoned there and left to wash or migrate. They are to be cultivated on a regular basis to aerate, to allow bacteria to act and to allow the action of the sun to work with the bacteria to break down the substances in the soil.

The member opposite has, like me, probably seen piles that have been temporarily stored in places, and people have asked these questions. These are storage plans that are part of the final disposal of that soil, at the end of which they must be treated in some fashion, and presently the most economical fashion of treating those soils is by land farming.

**Mr. Toth:** — Well you called it farming or working this land up to break the hydrocarbons down and the toxins to, I guess release them or break them down so they . . . I think you mentioned something about hydrogen and water. That soil — at the end of the day, is that soil suitable for vegetation? In the process, I'd like to know, is it treated in some form and how do we know that it's totally free of all the contaminants we've been trying to get rid of?

**Hon. Mr. Wiens:** — The question the member asks reminds me of a story a friend of mine told me once. He had cut his finger, caught it in the auger and gone to the doctor. And the doctor was sewing it up and my friend asked the doctor as he was sewing it up, will I be able to play piano when this heals? And the doctor said, oh of course. And my friend said, well that's good because I couldn't play it before.

So if the soil was productive soil before, once it's been treated in this fashion it will be productive soil again.

**Mr. Toth:** — Except for the fact, Mr. Minister, once you've dug up . . . and in a lot of the subsoil and a lot of cases there's . . . in the Regina area of course we've got heavy clay loam that goes down some substantial feet. But come out to our area and start digging around and that is substantially different type of clay and try and farm it afterwards and see if you're going to be able to grow anything on it without having to really add some other products to that soil. It would seem to me that we're talking different soil types, and that's what I'm saying. Is it necessary to dig up every pocket of soil type and just to aerate it out? From what I gather, your officials are telling me that yes it is. I wonder how many of them have really taken the time to burrow around and see where it's all disappearing. Can you answer that?

**Hon. Mr. Wiens:** — Two corrections. First of all, I hope that I have not inferred that all soil around underground storage tanks needs to be moved and treated. It only requires treatment if it is considered to be hazardous in its location, and those measures, as I've said earlier, we will forward to you in terms of what those guidelines are. Otherwise the material can be used as back-fill again if the tanks have been dug out and removed and new ones put in their place. Or if no tanks are replaced, it's used as back-fill if it's not hazardous.

The other inference that you incorrectly took from my comments from before — and maybe I wasn't clear enough in describing the process — was that this soil is dumped on your and my clay loam where we're going to grow the canary seed next year. For the most part that isn't what happens. What happens is that, on landfill sites where registered, there are places where this soil can be distributed thinly and then worked on sites approved of by my department for that purpose. It's not out on your or my back forty, and it's in a controlled landfill setting.

(2030)

**Mr. Toth:** — So I take from the first part of your answer that there are situations where it isn't that necessary to dig up sites. I lost my train of thought for a minute there. In the other situation, when this soil that's put out in these sites . . . and it's, as you say, farmed, what kind of costs have been incurred to date to try and revamp this soil, and who covers the costs for bringing this soil back into productive nature?

**Hon. Mr. Wiens:** — Yes, Mr. Chairman, I'd like to thank the member opposite for the question. The cost is a cost that is a responsibility of the owner, and as I said before, it suggests that it would be good business practice to instigate measures in one's facility so one did not incur the cost of having to treat the soil because the cost of digging it up and trucking and land farming it is a significant cost. But it is only the cost of digging it up, providing the site, and cultivating it on a regular basis for a six- or eight-week period till the contaminants are broken down.

The comparative other costs, if one were to have to use some other form of bioremediation where one would actually use a soil treatment facility that did not use the natural landscape and the natural action of microbes and the sun, could be very, very much higher. I would think in the order of 100 times the cost of the land farming system.

I have read some articles on this topic suggesting that some day in the future, people might challenge the land farming mechanism on the grounds that the fuel is not all broken down by microbial action. Some may in fact be escaping as a vapour and evaporate rather than be broken down and so people who have concerns about vapour leaking in the atmosphere suggest that there may come a time when we conclude that land farming isn't an adequate treatment measure. Contemplating the cost of alternate measures would be very much more financially damaging by comparison.

**Mr. Toth:** — Thank you, Mr. Minister. I guess that points out the one thing I mentioned a little earlier about these vapours from this soil that's being land farmed.

You mentioned the cost to the owner. I don't remember the exact location, but I remember, I believe it was the small fuel retailers who were in, and mentioned a place where the tanks were being done up and they had to do a clean-up where they were

anticipating something like a \$70,000 cost to replace tanks that turned out to be almost a \$500,000 cost for clean-up. I'm not sure if it was through the process of digging it up and they found that there was contaminants, and they dug out a much larger area . . . And when I think of digging up an area, because I happen to live in a suite, on the east, just off of Broadway, there's a service station out by an OK Economy and two years ago I think they started digging it up. They dug the front part up and now I've noticed they've got to the back part. They must have dug up that whole lot. I'm not sure how deep they went.

When you talk about these costs and we say, well it's the owner's responsibility, now if those tanks have been there say 15 years, that business has changed hands three times. The person who has just taken it over all of a sudden has a major cost on his hands where the department comes in and says, there's contaminants in the soil here. We're going to have to . . . This is going have to be dug up; you're going to have to change the tanks. And I think that's one of the questions that not only are we raising but that are being raised with us all the time.

And you continue to argue that it is the owner's responsibility. It would seem to me, Mr. Minister, who are we protecting the environment for? Is the environment being protected just because it's for that owner? It's for each and every one of us. We have a part in the reason the service station is over there. We have a part in why those fuel tanks were put down there because we ask for convenience — service stations.

Let's take a look at all the landfill sites around the province, and that's another major problem that we'll probably get into as we discuss this a little further. It's for the convenience of people. I guess maybe what you're asking individuals to do is go and build their own little landfill site and start burning their garbage on their own property rather than hauling it to a major landfill site and have lightning strike every once in a while.

But I just can't buy your argument, Mr. Minister, that it's got to be simply the owner, when we as a public not only benefit in the taxation on fuels but we benefit — every one of us — benefits from the cleaner environment we live in and we all have a part in it. We probably had a part in the reason some of these problems are incurring right now; it wasn't one person. Every one of us has in some way had a part in that. And that's why it would seem to me that as a government we're setting the regulations; we should also play a role in helping people out through a problem that in most cases people inherited.

And I don't know how many situations are like one community that I represent where a young couple had bought this business about five years ago and with all the regulations coming down, and they seemed to be turning enough money that . . . In fact I was told their payments were all up to date; they probably had the business pretty well three-quarter paid for, but all of a

sudden they realize the cost. There wasn't enough to justify him digging up his tanks, and he went and handed the keys over to the local lending institution. Who's going to be responsible for the clean-up there? I guess you're going to argue, well it's the lending institution for having given the loan because they now own the property.

So that's why it would seem to me, Mr. Minister, that we all should have a part. Now the department would argue no, it's the responsibility of the owner.

I think . . . was it the Saskatchewan taxpayers are talking about the fact that if the government doesn't balance the budget, the Premier should be decked, or cabinet should be decked, with a 5 or 10 per cent salary decrease every year. Maybe it's time we started looking at some of the people setting regulations and the fact that their little . . . rather than just sitting in an office here in the city, maybe some of them should be out there running a service station for a while so that they get a better understanding of what the people on the outside, who are paying the taxes to pay their salary, are going through when the regulations come down.

So, Mr. Minister, don't you agree that this is something that's not . . . goes beyond just the individual but it's something that we're all involved with?

**Hon. Mr. Wiens:** — Well, Mr. Chairman, I hope the member opposite's leader wasn't listening when he was talking about what you would do to his salary if you weren't balancing budgets, because all of your colleagues would presently be bankrupt if they'd followed the suggestion that he just suggested. And that might be a just reward for the havoc they've wreaked upon Saskatchewan citizens for their irresponsibility.

The dilemma with the operation of businesses — and the member opposite may have some advice in this regard — but when do you as the government, or do we as the government, conclude that somebody has been the victim of a circumstance and when the taxpayers somehow should come up with money to compensate? Because somebody, knowing there is a risk — a business risk in the liability — will consider this in the purchase price of a facility. And if the next person does not, then how does it make that judgement?

But at the end of the day, the reason that you or I as farmers, or as fuel dealers, or as a business person engaged in some other form of business through which contamination to the environment and some public risk might occur, one of the reasons why we try to avoid that kind of circumstance is because of the liability that we incur in putting someone else at risk. And if my gas tank were to leak causing the water supply of a community, or the neighbouring farm, or whatever to be at risk, or causing the well in someone's pasture to be contaminated so their cattle get sick, and somebody traces that back to my contamination, then I'm liable to pay for that.

And I don't want to be in that position as a business person. I don't want to be responsible for somebody else's losses, and I don't want my farm put at risk because I didn't manage that risk carefully. I say to the member opposite that certainly this is a matter that was not as well understood 10 years ago as it's understood today.

But I'm not clear when the member opposite would have the government intervene in a circumstance like this because, as I said earlier, I make the business judgement about when the tank that I'm using is at risk. I make the business judgement about whether to buy a service station with a tank that might be at risk. I either take that liability on from the previous owner by buying it without condition, or I reserve the right to hold the previous owner responsible and through court action pursue that. These are all ways in which this is measured in the business sector.

I wish I had money. I wish we as a government had money to help everybody who was in a situation of business risk because of one factor or the other. But I'm not sure that that would be a fair allocation considering that some people don't find themselves in that circumstance because they've made their business judgements differently. And it's a very difficult measure when government begins to try to intervene in that kind of circumstance.

At the end of the day, having guidelines and regulations that affect this are useful because it gives the business owners a guideline about when they really are at risk, so we've tried to flag that for them. It gives them a sense about when they will be at risk if they allow contamination to occur, and it protects the public and the environment from the damage caused by contamination. And while I recognize that this can be difficult for people who have to make the investment, it is a real cost of doing business in that environment.

**Mr. Toth:** — Well, Mr. Chairman, it would seem to me that the minister who has suggested that had there been reductions to premiers' salaries or cabinet ministers' salaries through the '80s that there would have been substantial reductions at that time, it would seem to me if the minister has been following the auditor's report there wouldn't be any people left on the front bench because there'd be no salaries. No one would want to stick around and do a job for nothing.

I also recall the fact, Mr. Chairman, that the present minister, I think, was a voice for the Saskatchewan School Trustees Association sometime in the '80s who was one of the individuals who was always complaining. He wasn't talking about deficits at that time. As chairman of the school trustees association his major concern was the government was cutting back, wasn't giving him enough to work with, was changing the formula from 40 to 60 per cent to a 50/50 or 46/55 . . . or 45/55, pardon me. And I think, Mr. Chairman, for the sake of the people in the province of Saskatchewan, it's time, as the Premier said the other evening, that the real facts were thrown out there.

The Premier stands in his place, the Minister of Finance stands in her place and says the deficit is under control. And then the Premier has the audacity to stand up after the federal budget and suggest that we should look at the overall picture. It's not whether the Minister of Finance brings the accumulated debt or the Consolidated Fund under control; it's the Consolidated Fund along with the other avenues of government that have to be brought totally under control. And I would suggest in the province of Saskatchewan we face the same thing.

Where was the minister when his colleagues were writing off debt in the Crowns and transferring it and building up a substantial debt on the consolidated side back in 1991, rather than taking the budget that was presented by Mr. Hepworth in 1991? He could brag to the people today that they're already operating on a balanced budget on the consolidated side.

If you want to argue about finances and about spending in this province, the deficit isn't under control. You're close to balancing the consolidated side; it's just a matter of . . . But you really haven't been as honest with the people of Saskatchewan as you could have been in the fact that no new taxes . . . Since when haven't we had no new taxes? Just because power rate increases and telephone rate increases and environmental spill clean-up is the responsibility of the owner, isn't that a tax?

(2045)

I think, Mr. Minister, if we want to start arguing about the finances of it, let's put the real financial picture out there, so the people can really determine whether or not we've got things under control. And if you're going to look at that, you've got to look at the unfunded pension liabilities which the auditor mentioned last year in his report that the government conveniently left out of their report. That's a cost to the people of Saskatchewan; that's a cost to the taxpayers. That unfunded pension liability which is helping, well, pretty well everyone in this room, all the people, the elected representatives here since 1981 are now on a money funded, so it's a different sort of a pension plan.

But when we look at this aspect about whether we've got it under control and we've got to do these issues on the environment, so we can protect the environment, so we can control our deficit, I think that, Mr. Minister, in my mind, here again I don't think you're really being totally honest with the people of Saskatchewan.

But I thank you for taking the time to at least assure us — and I believe you — assure us that there has been some consultation take place, that you are looking at ways in which you can work with businesses who are caught in this predicament or business people of having . . . running businesses or where storage tanks need to be replaced, and they're looking at major costs. But again, Mr. Minister, I would suggest we need to look at some of the other alternatives.

When government becomes involved or if

government becomes involved, I don't really know, but those are some of the questions that I think have to be and will continue to be asked. And whether you're here in two years time, whether you're even here as minister . . . maybe we're going to have to argue with a new minister next year; I don't know. I'm not sure if the Premier is going to want to leave you in the hot seat on the environmental issue, Mr. Minister, but it would seem to me that this is a question that's going to continue to be out there until we reach a point where we determine whether or not the public is really all that concerned about the environment. And I think I just read a headline the other day that the environment seems to be an issue that has dropped from the public's attention, that it's now jobs and deficit, and the environment is down here; whereas two or three or even five years ago, environment was almost the number one concern that seemed to be cropping up in people's minds.

And so as I say, Mr. Minister, there are a number of issues there, and I don't think we should be always working to try and to confuse the issue that we're discussing today.

**Hon. Mr. Wiens:** — Mr. Chairman, I did not hear a question in those last comments, but I want to assure the member opposite that we did . . . that the reason we began consultations is because the regulations as they existed in this regard did affect people. And the reason we have an advisory committee is because we want all the people involved with these issues to have an opportunity to express them in a way that influences government policy.

And I want to say to the member opposite, with reference to his long monologue about finance, which relevance I didn't quite gather to the discussion we'd had to that point, I want to say that if the member opposite had been listening to my address on the budget speech the other day he would have recognized that having addressed the tragic budget deficit left by the colleagues opposite, that the next issue on our agenda was the issue of the environmental deficits we face as a society, both locally and nationally and internationally. And it's very clear to me that those have to be done in a way that's sensitive to the economy and to the communities that are affected. And it will continue to be our objective, my objective as minister, to make sure that initiatives taken by this department will respond to those three elements of sustainable development: the impact on the economy, the environment, and the community. Thank you very much.

**Mr. D'Autremont:** — Thank you, Mr. Chairman. Well, Mr. Minister, you may want to make comments about the deficit accumulated by the previous government but you have to stop and take a look at where that deficit is now. According to the taxpayers' association in this province you've accumulated over \$2 million since October 21, 1991 . . . over \$2 billion of increased debt. The auditor says that you have run up the debt to over \$20 billion total now, so I think, Mr. Minister, you have some answers . . . some

questions to answer for thereto.

I'd like to carry on with the underground storage tanks. You've mentioned some policy changes there, that you've had a one-year extension in place, Mr. Minister. I believe that extension is running out shortly — April 1, I believe. If that's not correct then you can correct me on that. You also talked about communities being put into the position of judging whether or not a tank should be removed or not, whether an extension should be given. I wonder if you would mind explaining that, please.

**Hon. Mr. Wiens:** — Mr. Chairman, the regulations as they were passed by the members opposite, came into effect April 1, 1994, were scheduled to take effect. The action plan which we announced a number of months ago now will extend the compliance date for everyone by one year to April 1, 1995. And then for people who do not have facilities on class A sites, which are very high-risk sites because of the soil and the proximity to other facilities or aquifers, all of those will have an opportunity for a further extension. And according to the advice we received in the action plan, that extension would be granted with community approval. And the exact mechanism for community approval has not yet been determined, but presently on environmentally managed circumstances we use either local elected bodies and/or public meetings to gain that kind of approval.

**Mr. D'Autremont:** — Mr. Minister, have you considered the liability consequences of going to a community and them saying, yes, we believe this site should be given an extension. What kind of liabilities would that community be assuming if it was to agree to that kind of an extension?

**Hon. Mr. Wiens:** — Mr. Chairman, as I spoke earlier about the liability resting with the owner, the liability for damage resulting from environmental contamination still rests with the owner. If I'm a farmer and I place my used oil in a place that contaminates a water supply or something that someone else's cattle depend on, I become responsible for that. If battery acid accumulates somewhere in concentrations because I placed my batteries in a certain place and they leak and affect someone else, I the owner, am liable for that.

But the community does take on some responsibility in making the judgement for the extension. The community needs to be satisfied. The community could in fact, not grant an extension and thereby requiring someone to meet the earlier compliance dates if the community felt that this was a concern to them. Because in the end these are difficult to measure risks when a tank is not yet leaking, but a tank can start leaking on any day of the week.

And it would seem to me that in a public meeting of that sort, the community would be concerned about the security and the extent to which the owner was safeguarding the community in their own action plan for upgrading. So while the community will not take on a liability in that decision, they will take on

responsibility for guiding that decision.

**Mr. D'Autremont:** — Mr. Minister, I would suspect that if your comments were brought before a court of law dealing with this type of an extension where you're saying that the community will not have any liability, but will have responsibility, I would suspect that a judge when it came down to monetary compensation, would say that if you have responsibility you also have liability. And I think a good number of communities would greatly fear that because that's the situation they're being placed in right now.

If someone has walked away from a site or if they can no longer find the owner of a site, there are fuel storage tanks right now that have been in the ground for more than a half a century. There may or may not be an owner to those tanks. I know of communities, village sites, that no longer exist as a village, but yet there was a fuel storage tank under the ground and that fuel storage tank in most likelihood, is still there. It's now owned because of taxes, by the RM or the village — another community. So who has liability if a community says yes, we think this tank can remain in the ground for a period of time and we are assuming responsibility, even though they're not assuming liability? I would strongly suspect that a judge in a court of law would say, if you have some responsibility you also hold some liability.

**Hon. Mr. Wiens:** — Mr. Chairman, the circumstance the member describes is not dissimilar from the circumstance our department engages in on a regular basis. The fact that somebody might be in compliance with our regulation but still have their facility leak and cause damage, does not cause the department to become liable for the contamination that arises from your facility. You as the owner continue to be responsible for making the business judgements.

In protection of the public, the regulations are there to try to ensure that in almost every case those regulations cover off the circumstance. But in trying to be sensitive, as you're encouraging, there may be times when, because of the particular circumstances and the way your facility was installed, it might leak at an earlier date and you retain the responsibility as a business person to deal with that and to suffer the financial consequences of contamination or damage to someone else. I'm not a lawyer but this is the way it applies in the administration of our department and in the administration of the circumstances you describe.

**Mr. D'Autremont:** — Thank you, Mr. Minister. If you're going to allow communities to have some responsibility in this, or some say, I think then it would be important for you to also give them some comfort in stating that they would not be held liable.

I'd like to know how many tanks have been replaced in the last year, these underground storage tanks?

**Hon. Mr. Wiens:** — Mr. Chairman, I don't know if the numbers are available for how many have been replaced. I will give them to you if they are available;



if not, I'll give them to you later. But about 50 per cent of the tanks in the province are in compliance. Again, may I remind the member opposite that the tanks don't have to be replaced to be in compliance; they have to have proper protection and be in the ground for less than 25 years. And presently, with a year to go now before the regulations come into force, about 50 per cent of the tanks in the province at this time are in compliance.

**Mr. D'Autremont:** — Mr. Minister, I'm disappointed that you wouldn't know the numbers on this, because this has been an important issue, not just this year but last year when the Environment Committee toured the province this was one of the major items that came up at every meeting. And we questioned you on this last year, Mr. Minister, and I would have to assume that your members that were also on that Environment Committee pointed this out to you, that this was a major issue.

And you've had the past year where these tanks were being removed, and I'm disappointed that you wouldn't know what the number is because it has caused a major financial strain on a good many people in this province.

Mr. Minister, how many tanks have leaked, to your knowledge, in the past year, that your department has found?

(2100)

**Hon. Mr. Wiens:** — Mr. Chairman, there are about 7,500 sites in the province, and as I said earlier, about half of those are in compliance. I don't know the exact number that have been upgraded or dug up in the last year, but in my . . . I am guessing several hundred of them have been.

And the best judgement my officials can make is that, associated with those, probably there would be spillages with respect to half. Those may not all be leak spillages. Those could be spillages during filling or surface spillages on site. So there are many different causes for contamination.

But in the last eight months, there have been five very serious spills that represent potentially hundreds of thousands of dollars in clean-up and damage, so you get this range of activity from tanks at risk and having lower levels of contamination from leaking to potentially major, major leaks.

And to repeat the question as the member opposite has put it is instructive in terms of identifying the difficulty here. The member opposite asked the question: how many tanks have leaked in Saskatchewan in the last year? And if someone had an answer to that question, some of these safety measures would be less critical. One of the reasons that tanks above ground are, for some, easier to manage is because you can then tell when leakages do occur.

But the great dilemma of tanks sitting under the ground, you don't know what conditions exactly

they're experiencing. You don't know what corrosion has taken place. You don't know when spills have occurred and surround the tank that may end up migrating to other sites and causing danger, and it's generally because they're under ground and therefore unknowns that this becomes a difficult issue.

It's also the reason why we've, in the new regulations, required the installation of piezometers through which you can detect leaks and catch basins underneath bowlers and a number of measures to try to minimize the risk of contamination happening from the leaks.

**Mr. D'Autremont:** — Thank you, Mr. Minister. Well again I'm disappointed that you did not have a number for the number of leaks that your department was aware of in the past year. I would have thought that would be a statistic that would have been fairly simple for your department to track because either you have a leak or you don't have. You can guess as to the number of leaks that you would have based on 7,500 underground tanks, but your department must have investigated a certain number of leaks.

When you say that about half of the several hundred tanks that you suspect were dug up that there would have been spillage occur there, but would that spillage have occurred at those 200 tanks that you suspect were dug up, or would they have occurred at the other 7,300 tanks, half of which are in compliance with your regulations. You haven't explained any of that, Mr. Minister. You talk about perhaps several hundred. But surely, Mr. Minister, your department has some real numbers on these issues. If you do have, I'd like to hear what they are.

**Hon. Mr. Wiens:** — Well, Mr. Speaker, if I'd thought this was going to be a four-hour session on the finer points of underground storage tank management in Saskatchewan, I would have had those numbers and many more for the member opposite readily at hand.

I want to congratulate my officials on having as much information available for this discussion as they have because it was their belief that we would be dealing with the broader budget of the department which includes all other aspects of environmental management, fisheries, forestries, parks, and wildlife as well. And to have brought this kind of detail on all those subjects would have required several semi-loads to bring the paper in here and the whole process of doing that wouldn't have been a very sustainable process.

But I can assure you that they will access the information you're seeking from their files, and forward it to you so that the information which you have every reason to have, will be available to you.

**Mr. D'Autremont:** — Well, Mr. Minister, with an attitude like you just presented, I'm sure that we can carry on for four hours on every part of your department. So, I hope that you have . . . don't drink a lot of fluids before you enter here because you will be here for a while.

Mr. Minister, your claims on the spills. You talk about five major spills. Well, Mr. Minister, in my mind there is a difference between spills and there is a difference between leaks. Spills can occur without containment. A leak is in a container of some sort and you have something escaping. If you have a fuel line hose laying on the ground with the end open and fluid runs out of it, that's a spill, but it certainly isn't a leak. So when you talk of five major spills, Mr. Minister, what are you talking about?

**Hon. Mr. Wiens:** — Mr. Chairman, if I didn't answer the question with enough specificity before, there have been about three hundred spills in the province in the last year. If I incorrectly used the word spill by referring to the serious leakages that occurred in five cases, I would correct that now to say that what I was referring to was five cases where underground storage tanks leaked and caused serious damage as a result of its escape of the fluid that was contained in tanks.

**Mr. D'Autremont:** — Thank you, Mr. Minister. What caused those leaks? Was it corrosion, was it a breakage, or what was the cause of it? Internal, external corrosion?

**Hon. Mr. Wiens:** — Mr. Chairman, just so that I don't get into giving answers without enough specific detail on the question of how many, because I am responding in part from the memory of my officials, I will send the member a list of all of those leaks that occurred that were reported, in addition to those leaks that would have been identified through the process of replacing tanks.

I will send the member the file on the tanks which have been removed in the last year and the leaks associated with them and provide as much detail to the member opposite as is available, so that he knows the full width and breadth and height of what has escaped from tanks.

But in general there are a number of causes for spills that occur in installed facilities. They include corrosion and physical failure of pipes, and overfilling, and many other causes. But so as not to speculate about what might have been the cause in the five cases I mentioned, and to make sure that I haven't left out any, I will send the member that detailed information.

**Mr. D'Autremont:** — Thank you, Mr. Minister. I would appreciate that. With all the various leaks and spills in the past year, what has been your department's assessment of the environmental damage?

**Hon. Mr. Wiens:** — Mr. Chairman, I want to say that again we could provide much more detailed information to the member opposite if we had our spill control centre and our environmental assessment field staff here to provide the answers, but believing this was a session on the budget, we didn't bring those particular people with us.

But the extent of damage from spills can be very, very extensive. One of the particular spills in the city here affected one of SaskTel's major fibre optic communications networks which becomes very expensive to replace. Another one affected the SaskEnergy natural gas supply lines and in the process causes another risk if that line is to break down.

Any time that leaked material finds its way to a water system, it's a very, very serious concern. First, if it affects a drinking water supply because it takes . . . I think a litre of water will contaminate a million gallons of drinking water and whole water systems have to be replaced once contamination occurs in them.

So I can say to the member opposite that just from the examples you had used earlier with respect to the minor spills that occur, minor leakages that occur in some of the examples you've described where it's very easy for the cost of a clean-up to go from 50 or 60 or \$70,000 to several hundreds of thousands of dollars simply by having a very much deeper migration of the substance and needing to remove much more material.

I don't have costs on the spills, on the leaks which I have talked about here but we will, to the extent that that information is available, since it is not the department's responsibility to determine the cost of the clean-up, only to ensure that the clean-up is done to the extent necessary to protect the public . . . That information may not be available in many cases, but it's clear from the questions the member asked earlier that he's aware of the order of magnitude of some of the even lower quantity leakages.

**Mr. D'Autremont:** — Well, Mr. Minister, there is indeed a cost associated with any spill that someone will bear the responsibility for. When you try to assess the damage to the environment, you have to think in terms of replacement. If somebody's well is damaged that they can no longer use it, then you have to look at the cost of either providing a new well or transporting water. And I think that would be something that is assessable to find out what . . . how much value that had.

How much property damage has been caused by this leakage? I don't mean environmental damage, but damage to real property.

**Hon. Mr. Wiens:** — Mr. Chairman, as I said earlier, we would have no direct way of knowing the cost of a number of these clean-ups, but certainly in some of the extreme cases, clean-up costs involving into the millions of dollars is quite conceivable. The department has been more directly involved in the case where the SaskTel and the SaskEnergy lines have been affected, and those costs are major, major, major costs.

(2115)

**Mr. D'Autremont:** — Thank you, Mr. Minister. One of the issues that you brought forward was that

individuals could be harmed by leakage of gasoline or other hydrocarbons. How many people, Mr. Minister, have been harmed in the last few years — make it longer than in the past year, but in the last few years — because I think that it's important that the public have some awareness of what the personal injury side of this could also be. We contemplate in our own minds, we envision the damage to the environment. But what are the personal injuries that have resulted from spills or leakage?

**Hon. Mr. Wiens:** — The question the member asks, I think we're fortunate in Saskatchewan that we know of no one who has been killed directly as the result of an explosion from leakage. We hope that water systems have been protected so that people have not contracted serious illnesses like cancer or other illnesses from contamination in water supplies. I say that we hope, because at the end of the day we are aware that when spills into the environment occur we don't always see the end result of where the contaminants go, and we don't always know whether somebody is unknowingly consuming contaminated water or put at risk by air which has fumes in it from leakages. So at the end of the day, all we can do is, as I said at the beginning of this discussion, recognize that it is not desirable either economically or environmentally to have leaks into the environment.

It doesn't make sense to lose the product. It doesn't make sense to put the environment at risk. Therefore whatever guidelines, education, support we can give to making sure that people operate their facilities in such a fashion that leaks do not occur and that they replace their equipment before the environment is put at risk, that's objective no. 1. Objective no. 2 is to identify when leakages have occurred, to try to access the hazard from that circumstance so that we do not have migration of the leakages into a place where we have no control over it.

So as best as we can, we will try to determine that leakages are contained and if they're serious that they be cleaned up so that we do not have unknown migration of hazardous materials which would put people at risk. I surely hope we do not ever have anybody seriously injured. I sincerely hope that somebody hasn't been injured in a way that we have not known. At the end of the day, it's our responsibility to make sure that our regulations are such that we prevent the leakage of the contaminants and that once they have leaked to the extent that they are a hazard that those substances are cleaned up. And I would hope to work with your cooperation to achieve those objectives.

**Mr. D'Autremont:** — Thank you, Mr. Minister. I'm sure that no one in this province wants to encourage pollution, that we all want to prevent it.

But when you talk about the long-term effects that pollution might have on us as individuals or us as a society, I think there is a lot more things involved than simply hydrocarbon pollution. Some figures would indicate that one in four persons in Saskatchewan will at some time be a victim of cancer.

Now I don't think those numbers can be strictly related to hydrocarbons. There are a lot of factors within society that take place that need to be considered, and we don't have the information that says this is the culprit or that is the culprit.

We have studies that would indicate that coffee is a major potential carcinogen and yet I would suspect that the majority of the people in this room consume a fair amount of coffee in a day, and the later the evening the more we consume.

So when you're looking at the long-term effects that leakage of hydrocarbons can have, it's not the only item which will have an effect on the health of our society.

One of the issues . . . you talked that you thought we were going to come in here and discuss the dollar signs on the budget. Well the underground storage tanks is of major concern to a great number of people around this province, not only businesses but farmers, municipalities, either urban or rural. They all are very concerned about this.

You talk of 7,500 underground tanks, Mr. Minister. You talk of potentially a few hundred that were removed last year. How many businesses, Mr. Minister, are affected by these regulations? How many businesses have these 7,500 underground tanks?

**Hon. Mr. Wiens:** — Well, Mr. Chairman, certainly we're aware that many of these tank locations are multiple tank locations. I don't have the exact numbers here but we will provide that information to you. And again, let me say that as you speak about the concern raised by urban and rural municipalities and by communities, it is exactly for that reason that in the action plan we have involved them in the process of approval, because we have heard those concerns, and we believe that they have a legitimate interest in helping to evaluate the circumstance in their community. And I believe when they help make that decision, they will also help us with the information they gather from their activities locally in making sure that the work we do in environmental management continues to be sensitive to the local community concerns.

It's absolutely critical that that discussion continue to take place, and we continue to involve SARM (Saskatchewan Association of Rural Municipalities) and SUMA (Saskatchewan Urban Municipalities Association) and other community representatives in the full discussion of these issues in our hazardous substances advisory group.

**Mr. D'Autremont:** — Thank you, Mr. Minister. You talked of cathodic protection. Do you have any studies that would indicate that cathodic protection provides better protection than does a bare tank, depending on the soil type?

**Hon. Mr. Wiens:** — Clearly such evidence exists and we will forward the appropriately referenced material

to you.

**Mr. D'Autremont:** — Well thank you, Mr. Minister, but I think it's very important that when you're considering cathodic protection or bare tanks that you take a serious look at the soil types. I've seen pipes in the ground that have been there for a good many years — 30 years or better — that are not corroded. I've seen locations with cathodic protection that was improperly installed in which a leak occurred in less than a month. These pipes were both the same quality — quarter-inch pipe.

It's a matter of the soil types as well as the installation. If cathodic protection is installed improperly, you have a much greater risk than if you just simply have a bare tank because your corrosion on a bare tank is going to occur throughout the whole tank, over the whole exterior of it. In improperly installed cathodic protection, that corrosion is concentrated in those spots that are not proper. So do you have the studies that would relate to the different soil types for cathodic protection and bare tanks?

**Hon. Mr. Wiens:** — I'm not sure if the studies that have guided our actions to this point include that kind of specific reference. But if they are in our available list of references, we'll refer them to you.

**Mr. D'Autremont:** — Thank you, Mr. Minister. We've been restricting our discussion basically to underground fuel storage tanks. But, Mr. Minister, they are not the only hydrocarbon storage facilities in the ground. How do these regulations impact on other storage facilities?

**Hon. Mr. Wiens:** — I'm not sure exactly what the question is, but let me rephrase it for the member, and if it isn't correctly rephrased, correct me.

I believe the question that the member intended to ask is what other facilities do the hazardous substance regulations affect. And if that is the question, they also affect the chemical fertilizer storage facilities that are parts of the agricultural infrastructure across the province.

**Mr. D'Autremont:** — Thank you, Mr. Minister. There's also one other type of storage facility that we have a large amount of in Saskatchewan, and that's oil and gas pipelines, which carry hydrocarbons which are potentially as polluting as gasoline and diesel fuel. How do these regulations impact on those storage facilities? If you have 1,000 feet of 4-inch pipe, you have 16 barrels of oil in that. That's larger than most fuel storage tanks are. What kind of an impact does this regulation have on those kinds of facilities?

**Hon. Mr. Wiens:** — Mr. Chairman, the interprovincial facilities that operate in Saskatchewan are regulated by the National Energy Board. The small facilities that operate internally have to meet our guidelines.

**Mr. D'Autremont:** — Well, Mr. Minister, not all pipes in this province are controlled by federal authority. Most of them are controlled provincially. If you're

talking the major transportation systems, TransCanada Pipelines and Interprovincial, certainly those are federally controlled. But there are major pipelines in this province that carry a large volume. My question is, how do these regulations impact on the provincially regulated pipelines?

**Hon. Mr. Wiens:** — They have to comply.

**Mr. D'Autremont:** — Mr. Minister, if they have to comply, will they have to be removed from the ground at a 15- to 25-year period?

**Hon. Mr. Wiens:** — The regulations, as we've spoken about with respect to underground storage tanks as far as I'm familiar with them, do not apply in directly the same way, but the general principles do that those facilities have to be cathodically protected and have to meet requirements for leak protection, the details of which I will again forward to you.

**Mr. D'Autremont:** — Well thank you, Mr. Minister, because there are a number of pipelines around this province that do not have cathodic protection in place because they were put in the ground 15, 25, 35 years ago. And even those with cathodic protection, there is potential problems there. And I'm sure that the people who own them are going to be concerned about these regulations. They are part of that business group that is concerned, same as the fuel storage people who own the underground storage tanks.

Mr. Minister, how do you assess or assign ownership of a pollutant if there is no immediate point that you can designate as being the source of the pollutant? If you find gasoline running down the sewer in Regina, without finding a leaking tank, how do you assess the ownership? Who pays?

(2130)

**Hon. Mr. Wiens:** — Mr. Chairman, the object of the spill control and management in our department is to in fact determine what the source of the leak, spill, is and to assess the area because an owner for the source for the contamination must be found in order to stop it. And the costs will then be applied to the source in a sense that the owner will be responsible for remediating the damage that's occurred as a result.

**Mr. D'Autremont:** — Does your department pick up the cost in the meantime for the clean-up and the containment of the pollutant?

**Hon. Mr. Wiens:** — Our department ensures that control is exercised quickly and that appropriate actions are taken. And if an owner if not found, identified immediately, yes we do in the interim look after those costs and then bill the source when the source is found.

**Mr. D'Autremont:** — In all cases, do you find the owner, or do you assign responsibility to someone?

**Hon. Mr. Wiens:** — I'm not aware of any cases where the owner has not been located in these cases.

**Mr. D'Autremont:** — Well, Mr. Minister, in the cases of fuel storage sites that no longer have someone with title to them, how do you assess and assign responsibility in those cases where the individual may have passed on and there's no immediate heirs, or how do you assign ownership in those particular cases?

**Hon. Mr. Wiens:** — All the property in Saskatchewan that I know of is owned by someone, and the owners are responsible.

I want to come back to a point the member opposite raised a few minutes ago, and I neglected to respond to it. And that was the question of what the owners of these facilities who would be interested in the impact that our regulations had on them, what their concern would be in that regard.

I want to reiterate that all the regulations do is attempt sensitively to offer protection to the public against risks from leakage or spills. I think, and it's my experience with business in this province, that they recognize the risk of not managing their environmental risks properly. Whether they are mining companies or fuel companies or chemical companies or fertilizer companies, they recognize that there is a cost associated with not dealing with the environmental hazards that their business . . . that result from their business.

This has nothing to do with government regulation. It has everything to do with the fact that they know that if there is a leak or a spill that causes damage, they are responsible. Their financiers don't want to carry that risk. Their owners do not want to carry that risk. Therefore the most prudent strategy for any and every business is to manage the business in such a way that environmental contamination does not occur.

This is a simple fact of business life. If what I'm doing as a business places someone else at risk, I'm going to be responsible to pay. And if I don't want to add another expense to reduce my bottom line at the end of the day, I'll manage that risk in such a way that there is no risk to someone else. We need to continually remind ourselves that it is good business to manage one's business environmentally.

**Mr. D'Autremont:** — Well, Mr. Minister, I agree with you that risk management is indeed the question here. But it's the question of also fairness on who is responsible and time frames. Most of the small service stations around this province have not had the time to get their businesses in order to be able to afford a major change in their underground storage tanks. They've had five years in which this legislation has been coming forward, in which the regulation has been coming forward. They are particularly concerned when their tanks are not leaking.

Mr. Minister, businesses with tanks that are leaking will not be in business very long because they are losing the profit off of that fuel. It's in their own personal interests to see to it that their tanks do not

leak because that's their money that is disappearing if it does leak. And most of those that have a leaking tank have no problem in removing it from the ground and doing what is not only right for their business but what is right for the environment.

But the serious problem is removing those tanks from the ground when there is no leak. That is where the majority of these small businesses find a problem, what they find unacceptable. They say why can't something else be done. Why can my system not be tested? Why cannot test holes be put in the ground to monitor my tanks for a leak? You say you have meters that will do this. Fine. Put them in the ground and test. But their major concern is the removal of a tank that is not leaking. They would like to have a time, a longer time frame in which to build up a reserve so that they can afford to remove that tank.

The government, society as a whole, in dealing with the environment, is saying that for society's best interest we need to protect ourselves, we need to protect the soil, the air, and the water. But it's a benefit to society. While if your fuel storage tank is leaking, it's a benefit to that individual business man to prevent it from happening or to stop it from happening.

It's in the benefit of society as a whole that these regulations are in place that say after 25 years you will replace your tank — not if it's leaking, but you will replace the tank. Since it's of benefit to society, Mr. Minister, perhaps society then should be bearing some of the costs. If those tanks are to be replaced on the near term, then I would suggest that society, along with the business involved, should bear some of the responsibility. If the businesses involved are given a longer time frame in which to build up a reserve, sort of an environmental depreciation to pay for the replacement of that tank, then I believe it would be possible for them to do so.

But it's those that will be affected on the near term, that are not in the financial position to replace these tanks when they're not leaking. If they're leaking, I haven't heard of a single person who is concerned about not replacing it. They understand their own financial losses when they leak. They understand the cost to the environment. But it's when there is not a problem today and they have to come out of the ground tomorrow that there is a concern.

**Hon. Mr. Wiens:** — Well if I could find an official from my department who could determine the day before the tank began to leak so that it could be removed that day as opposed to the day after it began to leak, this would be a marvellous asset. But the . . . I think, while the basic premiss the member opposite is suggesting, that more time should be made available so that people can plan for those changes, this is exactly what we have done.

The regulations as passed by your government, were passed in 1989 to come into effect in 1994. We have . . . so since 1989 there have been now five years passed. We have provided a one year extension for all service stations; that's six years. For service stations

who can demonstrate that their tanks are not leaking and who get community approval, they can extend them until 1998. So there's another three years. So this is already a nine-year compliance window during which this can take place.

The probability of tanks leaking after they've been in the ground for 25 years is extremely high and it is clearly not in the interests of the public or the business owner to stretch these limits to the point where leaks occur. Because at the early point, all one has to do is replace the tanks. At the later point one has to both replace the tanks and do an environmental clean-up which becomes very costly. It would not make sense to wait till that very last moment until we have to do environmental clean-ups. It would not make sense to allow semi-trailers to drive down the highway when their brakes are faulty without requiring them to inspect them from time to time. It would not make sense for us to allow airplanes to fly till they crashed. This kind of management is not good management.

So it makes good business sense and good public safety sense to have some guidelines according to the best information we have, so that we can encourage people to make their upgrading before there is a public risk that puts people's health or lives at risk. And I will continue to work with the affected business owners and with the community at large to be as sensitive as we can with those issues while insuring that the risk to the public is minimized.

**Mr. Swenson:** — Mr. Minister, my colleagues have been raising with you tonight the cost of doing business in this province, the cost that ultimately, I guess, our environment will suffer if things aren't managed properly. And I agree with you; you say that we've got to do this in an orderly way.

But I think, attending the last SUMA convention last month and listening very carefully to some of the arguments that were made there, and I suspect, when SARM meets next week or two weeks, whatever it is, that a lot of the same arguments are going to be made to you and your government, that the cost of doing business is simply not associated singularly with digging up contaminated soil around a gasoline tank or some other storage facility that has held hydrocarbons.

As you know, service stations and things associated with the petrochemical industry are a big part of everyday life in Saskatchewan, particularly in rural Saskatchewan because of the distances involved, their agricultural land base. What I heard at SUMA was that they are very concerned about not only the cost should they happen to be the owner at the end of the day but the pressure that this puts on their tax base.

When you think of the business tax, the property tax, paid by people in this industry and a lot of our small towns, your bulk service people with the local co-op, I know in a lot of my towns, those are some of the largest taxpayers that we have left, particular our small urban areas. They are very concerned. And when they talk about hundreds and indeed thousands of people

being affected as far as the tax base, I think they have some pretty legitimate concerns if these people no longer have the wherewithal to stay in business and pay those taxes and be mainstays. I mean it's often the guy that runs the service station or the bulk dealership that buys the hockey sweaters these days in small-town Saskatchewan that is a major economic contributor.

And I'm wondering if you could tell me in that bigger economic sense that SUMA and SARM will address to you, as did the discussion that the canola growers in Saskatoon in crop production week when some of those issues were raised, I wonder if you could bring me up to date, as the Community Services critic, exactly where your discussions are going with these two groups.

**Hon. Mr. Wiens:** — Well as I had indicated to your colleagues earlier, while the discussions on the hazardous substance regulations did not provide for input by some of the small service station owners when your government passed them in 1989, they were consulted at that time with SUMA and SARM.

As we reviewed the regulations with respect to our action plan which we announced last year, the upgraded regulations, SUMA and SARM were critically involved in those discussions, and in the hazardous substances advisory group which we now have in place to continue the review of the regulations around the hazardous substances regulations, both with respect to underground storage tanks and chemical storage facilities. SUMA and SARM are represented on that group and we very much appreciate their ongoing advice.

(2145)

One of the challenges of good public consultation is that there needs to be opportunity for representatives of the various stakeholders that sit at a table to take those initiatives back to their own group and make sure that the information flows both ways. My experience with SUMA and SARM in the long haul has been that they have a respectable internal communications process and I anticipate that the representatives that they have that are sitting with us examining these issues are going back and forth to their own organization to make sure that the information is flowing both ways.

**Mr. Swenson:** — Well that's . . . I'm glad to hear that, Mr. Minister, but if I was listening carefully to the responses you gave my colleague, was that these regulations are in place, that the time lines are defined, and that there simply is not going to be any variation. And what I was hearing at the SUMA convention was clearly that they were not satisfied with the process, that there were clearly too many economic uncertainties out there to fully endorse what you're trying to do. And, Mr. Minister, the time lines can be as long as you want. The fact is that if those time lines are hard and fast, I suspect that neither of those organizations are going to be totally pleased with the fallout that potentially could result.

People are talking here about hundreds of thousands of dollars, maybe even millions of dollars, in the way of a tax base being knocked out of Saskatchewan. And with the amount of downloading that your government has put on the backs of local government, people that have to balance budgets by legislation, they don't have anywhere else to go by legislation except back to their tax base. If that tax base is further eroded by several million dollars in the near term, I don't think they're going to be very pleased with government regulations that simply forge ahead and don't allow people more variance.

And I would suggest to you, Mr. Minister, that the message you're going to get at SARM is exactly that. They cannot afford to have that tax base, which is already pressured almost beyond belief with downloading from both levels of government and high taxation levels, to have it further eroded when they lose more valuable tax base.

And a lot of towns in this province, all that's left is the service station or the bulk dealership. Now if we're ready to write them off, just say you simply are done, you're gone, you don't belong as part of our society any more. Then fair ball.

But I think that's the kind of thing that you're going to have to come clean with, because I don't believe their figures are all that wrong. When they look at over 700 independent dealers, when they look at nearly a thousand people or more that are hooked up with chains, and they talk about losing a large percentage of those, then I think they're right on the money. And boy, you knock the hospital out, you maybe lose the school and you lose your ability to provide fuel and where are you? Now, Mr. Minister, what are you going to say to these people when they present this argument as I'm sure they're going to at the upcoming convention?

**Hon. Mr. Wiens:** — I'd like to say to the Leader of the Opposition that I need to have clarified which argument he or his colleagues are making because you're making two and they're contradictory. One is that if regulations are followed there will be closure. The other is that if a business cannot afford to function because the cost of contaminated site clean-up is so high, that cost will come back to the municipality.

The object of encouraging good environmental management by the companies is to ensure that you distribute the cost of replacing equipment before it's worn out over the life of the facility in the best way that can be balanced before the additional cost of contamination come into place.

Now I have not heard anybody at the municipal level, urban or rural or Bill Albert when I spoke of the Bill who represents the Environmental Fairness Association, or anyone else challenge the notion that the best thing for everyone is to prevent contamination. So the object of the regulations is to provide that protection to the public that no contamination occurs.

But the object for the business is a completely independent business objective which is to say that they, as a business, do not want to subject themselves to the cost of the equipment wear-out, which is a given with any piece of equipment, including underground storage tanks, but to add to that the cost of an environmental clean-up which will ensue if it's not cleaned up soon enough, if the tanks are not replaced soon enough. And that point of view is universal.

The dilemma, as in so many other areas of life, is that in a tight economy when in some of the small service stations the turnover is not that great, that this is a tough cost, that the cost of replacing the worn-out equipment is hard on him. I acknowledge that. And our objective in using the advisory committee is to make the regulations as sensitive as possible for the continuation of those operations, so that they can pay their taxes, so they do not become liabilities to the municipal or urban municipal tax base and so they can in fact continue to provide a service to the community.

But it is in no one's interest to allow a contamination to occur which then provides a cost to the business which is sure to put some of them down. So the object of good environmental management is to ensure that no spillage occurs, no leaks occur, to minimize the cost of upgrading facilities. Thanks for that question.

**Mr. Swenson:** — Mr. Minister, you're probably right on both counts. But I can tell you there isn't a service station owner out there that wants to have a leaking tank. I mean that's absolutely bizarre to think that you would allow a tank to leak, given the margins that those people deal with today. Of course they don't want it to leak.

But you know full well, Mr. Minister, that through this whole process that people have said to you, let's look at all of the alternatives available. And my colleague pointed out to you that there are different ways to monitor rather than issuing ultimatums. And that's what happens when we draw lines in the sand as you appear to be doing in implementing a piece of legislation that right . . . you are right, it was brought forward in 1989. But when you draw these lines in the sand, they simply, I believe, Mr. Minister, as was pointed out to you and your officials that day at crop production week, are unrealistic in the economy that we live in.

I mean you are absolutely right. You don't want the small urbans to end up bearing the cost — and they will. If that particular business goes down and the guy walks away, somebody will have to clean up the site if there has been leakage. In many cases, these small urbans today cannot maintain the basics of sewer and water, much less do that. They tell me they just did one out at — I believe it was Langenburg — and it was over \$300,000 to clean up a site along the railroad track.

Now I can tell you, Mr. Minister, that most towns in

this province that have railroad sidings where there was fuel — and there are probably hundreds of them that don't exist any more — could all be in that same category. Now hopefully the railroad will bear responsibility and you will have someone there that is participating in the clean-up. But if you do have these situations occur, then clearly that urban jurisdiction — or that rural municipality if the hamlet's been turned back — are going to be responsible.

And I'd like to know from you, what kind of numbers we're talking about. You must have done an assessment on this. I'd like to know from you what your best guess of you and your officials is, of what this potential could be over the next, say five years' time. You said that you've got a pretty good handle on where everything's at. What global cost do you associate to this particular initiative, because 1998 is basically the end of the line. Can you give us that kind of a number?

**Hon. Mr. Wiens:** — Mr. Chairman, no I can't give that kind of a number because each facility will vary and because we do not know in advance of people excavating their facilities, what kind of environmental contamination there is, nor what their local circumstance is for clean-up in terms of contractors. And so that the hope is that none would have leaked, and all you have to do is replace physically the tanks which is a necessary equipment replacement in any event as equipment wears out.

The reality is that we're finding the 50 per cent-plus of these have had some contamination and therefore need to clean up — as you have said, some cases where those numbers can add up to hundreds of thousands and, in the case of the leak here in Regina, possibly millions of dollars as a result of injury to equipment, telecommunications equipment and underground natural gas lines.

So there is no way of determining without knowing where damage and contamination have occurred. So the object of the program is to, as sensitively as we can, proceed with a process for replacing tanks as they get older and as they become very high risk and hopefully catching them before contamination occurs, resulting in public risk to health and safety and the cost to the business owner.

The committee reported progress.

The Assembly adjourned at 9:58 p.m.