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Test at quarry site must be done over

St. Marys Cement plan suffers rain delay

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The Hamilton Spectator

FLAMBOROUGH (Nov 6, 2008)

St. Marys Cement must redo a controversial water-pumping test at the site of its proposed limestone quarry northeast of Carlisle, on the borders of Burlington and Milton.

The Ontario Ministry of the Environment (MOE) has rejected results of testing in July, saying heavy rain made the data unreliable.

Gartner Lee Ltd., principal consultant for the company, insisted it could adjust for the rainfall, but Carl Slater, a manager in the ministry's Hamilton office, says the results "would never be as conclusive as if the test had been carried out without this confounding factor. We can't accept the theoretical."

It's a serious setback in St. Marys' bid to open a large quarry on 10th Concession East at Milborough Line.

With winter approaching, the company may have to wait until spring to rerun the first phase of a three-phase test plan, raising questions about whether it can finish all three before its permit expires June 30. The ministry has to accept the results of each phase before the next can begin.

That raises questions about extending the permit, which the ministry issued for 356 days. Had it been for eight more days, a full year, the antiquary group FORCE would have had the right to appeal to the Environmental Review Tribunal.

Chair Graham Flint says FORCE warned about effects of the rain when the eight-day test was conducted.

"It was clear to our community from the start, given the weather conditions, that the test data would be unreliable. Yet once again, St. Marys sang its familiar tune of 'Don't worry, be happy,' claiming the rain had no impact and the data from its test was good. We commend MOE for taking decisive action to ensure sound science."

Jennifer Tuck, speaking for St. Marys, said the company is waiting for Gartner Lee to review the ministry's decision.

"We hope to go back to the MOE to address their concerns and look at what we have to redo."

Kenneth Raven of Intera Engineering, retained by FORCE, noted in September that the ministry had rejected results of a test by the property's former owner in 2004 because it rained heavily then. He told the MOE similar conditions in July had "severely biased and compromised" the attempt to simulate effects of pumping that would be needed to keep the quarry dry.

Area residents worry large-scale pumping will affect quality and quantity of their well water, and the City of Hamilton fears contamination of water supplying the Carlisle municipal wells.

There is also concern about the effects on wetlands and creeks in the vicinity.

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