

Ministry of the Environment

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Ministère de l'Environnement

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September 17, 2007

Mr. John Walker, Ted Knott Chapter  
Mr. Len Yust, Executive Director, Ontario  
Trout Unlimited Canada  
3455 Harvester Road, Unit 24  
Burlington, ON L7N 3P2

Dear Messrs. Walker and Yust:

Thank you for your correspondence to the Honourable Laurel Broten, Minister of the Environment. As you may know, on Monday, September 10, 2007, the Honourable David C. Onley, Lieutenant Governor of Ontario, dissolved the 38<sup>th</sup> Legislature of the Province of Ontario. I am pleased to respond to your August 2, 2007 letter on behalf of the ministry.

The ministry conducted extensive testing of Spencer Creek on July 30, 2007. Test results have indicated that Diazinon was found in Spencer Creek at trace amounts but at lower levels than detected on July 27, 2007. The trace concentrations found on July 30, 2007 are consistent with concentrations previously found by Environment Canada. Malathion, Carbaryl, Bendiocarb and other carbamates were not detected in Spencer Creek on either July 27, 2007 or July 30, 2007. There are signs of aquatic life returning to the affected area of the creek and the ministry has advised local agencies and the media that creek use can return to normal.

I can assure you that ministry officials have worked with the fire department and the City of Hamilton to ensure that the chemicals have been contained to prevent further damage to the local environment. The ministry is closely reviewing the case to determine whether there will be any investigations or charges. The ministry has been monitoring the clean-up and determined that the clean-up is complete. The ministry has met with the City and other local agencies including the Hamilton Conservation Authority and Royal Botanical Gardens to review the data gathered after the fire and assess the environmental

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impacts caused by the fire douse water discharged into Spencer Creek to determine what, if any, action is required to speed recovery of the ecosystem within the stream bed. All parties have agreed to work together in the coming months on a Restoration Action Plan to determine the appropriate steps to bring the affected portion of Spencer Creek back to its pre-fire conditions.

Your question about emergency response teams and their prior knowledge of the site and appropriate use of douse water would be more appropriately directed to the City of Hamilton Fire Department at Hamilton Emergency Services - Fire, 55 King William Street, Hamilton, Ontario, L8R 1A2, or by telephone at 905-546-3333.

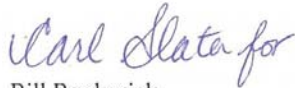
This ministry has worked with the Ministry of Natural Resources to support the work of the Hamilton Conservation Authority and the Royal Botanical Gardens in the Spencer Creek area. We will continue to support these agencies in their efforts. They have developed comprehensive long-range plans that aim at improving the ecological functions of Spencer Creek through restoration and rehabilitation initiatives on both private and public lands, including fisheries work. Our aim is to minimize the impacts of this spill on the stream so this restoration can continue.

The ministry has confirmed that the company does have a spill response plan in place and that a review of that plan is warranted to ensure that it is complete and up-to-date.

If you would like to discuss this matter further, please contact Mr. Vince Sferrazza, Acting District Manager of the ministry's Hamilton District Office, at 905-521-7680.

Thank you, again, for bringing your comments and concerns to our attention.

Yours truly,



Bill Bardswick  
Director  
West Central Region

c: Minister of Natural Resources  
Minister of Health and Long-Term Care