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RE: EBR Registry Number: RA06E0024
Proposal Title: Ban on the Incineration of Tires

Clean Air Bath is a group of local residents who are concerned about the impact that the Lafarge Bath Plant certificate of approval to incinerate tires and other waste might have on our health, the environment and the economic stability of Loyalist Township, Kingston and surrounding areas.

We represent the thousands of concerned citizens of this area, who have originally submitted over two thousand signatures on petitions or personal letters regarding Lafarge's original application.

We adamantly oppose this proposal as it is currently worded. In the main, we take issue with the suggestion that the practice of tire burning be made subject to the Environmental Protection Act. We also take issue with the statement that the "proposed ban will not apply to any facility with approval to incinerate tires issued before the ban is in effect."

Clean Air Bath strongly believes that the Ontario Environmental Assessment Act, not the Environmental Protection Act, is the appropriate legislation to examine the cumulative environmental effects of this type of energy generation from "alternative fuels." Moreover, only the Environmental Assessment Act allows for a thorough study of alternatives to proposed projects. In addition, the social and health effects, including the mental health effects on populations living in close proximity to incinerators, only receive due attention under the Environmental Assessment Act. Lastly, the Environmental Assessment Act provides for more extensive public participation than is possible under the Environmental Protection Act.

Currently, the proposed ban does not apply to any facility with approval to incinerate tires issued before the ban is in effect. This means that Loyalist Township is the only municipality that is exempted from this ban, since Lafarge Canada – Bath plant, was granted a Certificate of Approval on the same day as this proposed ban was registered, Dec. 21, 2006. **This ban, effectively, makes Loyalist Township, and neighbouring municipalities a “science experiment” for the rest of the province.**

The exclusion of Loyalist Township from this ban is reprehensible, given Loyalist Township’s Aug. 8th 2006 resolution requesting a province-wide moratorium on the burning of tires and other waste until appropriate study on the effects of this process was conducted.

Within your proposal, the Ministry states that no facility in Ontario incinerates tires. In fact, the MOE admits that it has no experience monitoring the environmental performance of facilities that incinerate tires. The purpose of this proposed time-limited ban is to allow for the collection of information confirming the environmental performance of facilities using tires as fuel. If a ban is introduced, MOE will not issue any new approvals for the incineration of tires until this information has been obtained.

We feel that this proposed test study is negligent to both the health of the people and their environment. We ask that this government honor the precautionary principle. **You admit that you cannot confirm that this procedure will not harm the environment. Without that certainty, it is your responsibility, as stewards of the environment, and consistent with the Ministry’s Statement of Environmental Values, to reject this procedure outright on a precautionary basis.**

There is an alternative. **We request that the MOE propose a regulation that would halt the incineration of tires until such a time as an environmental assessment is completed.** Throughout the world, there is a wealth of studies and reports that suggest that burning tires in cement kilns leads to an increase in toxic emissions. We ask that you study this process from the available science, not from the experimentation on local residents; collect your information confirming the safety of this process BEFORE you begin. To do otherwise is reckless and displays a complete disregard for the people of the affected area and their environment.

In summary we request the following:

1. Tire burning and waste burning in any industrial facility, including cement plants, is an activity to generate energy. It is also a highly controversial practice. Consequently, we do not believe that the Environmental Protection Act is the appropriate legislation under which such a practice should be examined. Instead, any “alternative fuels project” including the burning of tires and waste for energy generation necessarily requires the application of the Ontario Environmental Assessment Act.

2. Any ban on tire burning shall be applied retroactively until such time as an Environmental Assessment of this practice has been conducted.

Hoping for your due consideration of our concerns,

Susan Quinton
For Clean Air Bath