



January 23, 2007

Honourable Laurel C. Broten
Minister of the Environment
12th Floor, 135 St. Clair Avenue West
Toronto, Ontario
M4V 1P5

Dear Minister Broten:

Re: Approval to Burn Tires at Lafarge Canada's Plant in Bath, Ontario

Following the Ministry of the Environment's decision dated December 21st, 2006, to grant approval for Lafarge Canada to burn used tires and other municipal waste as fuel at the Lafarge Cement Plant in Bath, the Council of Loyalist Township passed the resolution contained in the attached letter sent to the Secretary of the Environmental Review Tribunal. A copy was also sent to you on January 4, 2007.

The purpose of this letter is to draw your attention to the three particular issues for which we have not received a response. Specifically, Council requested:

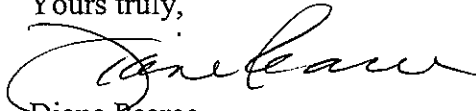
- 1) the Minister of the Environment to provide information, in writing or in person, regarding the timing of the decision on the Lafarge application, the lack of communication in this matter and the reasons why Council's request for a public hearing under Part 5 of the Environmental Protection Act was not approved;
- 2) an explanation as to why there was no discussion with Council on the proposal and subsequent decision to use Loyalist Township as a test site for the burning of alternative fuels in cement kilns; and further
- 3) to be advised of the standards for emissions and other conditions that will be in place for the burning of alternative fuels at the Bath plant following the completion of the test period.

The concern raised by many residents in Loyalist Township about the potential for the Lafarge Plant to burn tires in our municipality has not decreased as a result of the December 21st decision. Council continues to be advised of this concern. From the Township's perspective, we are puzzled that there has been very little direct communication from the Ministry of the Environment in response to the correspondence we have sent or to the meeting we had with you in Ottawa last August. The timing of the decision right before the busy holiday season and the effectively shortened appeal period were almost perceived as the Ministry acting in bad faith. In addition, Council was consistent in its call for a public hearing on the application. From our standpoint, Council's issues have not been addressed in any way by the decision that was made on

December 21st. As the locally elected government for the municipality where the Lafarge Cement Bath Plant is located, Council feels that a response to the concerns raised in our correspondence is very much in order.

Please consider this letter and the issues raised in Council's resolution passed on January 4th, 2007. We look forward to hearing from you at your earliest convenience on this matter that is so important to our community.

Yours truly,



Diane Pearce,

Chief Administrative Officer

c.c. The Honourable Dalton McGuinty, Premier of Ontario

Mrs. Leona Dombrowsky, MPP, Hastings-Frontenac-Lennox & Addington

Members of Council

Ms. Susan Quinton, Clean Air Bath

January 4, 2007

The Secretary
Environmental Review Tribunal
2300 Yonge Street, Suite 1700
P.O.Box 2382
Toronto, Ontario
M4P 1E4

Dear Sir/Madam:

Re: Lafarge Tire Burning Application, Bath, Ontario

Please be advised that the following resolution was adopted by Loyalist Township Council at a special meeting held January 4, 2007:

“That, in response to the Ministry of the Environment’s decision dated December 21st, 2006, to grant approval for Lafarge Canada to burn used tires and other municipal waste as fuel at the Lafarge Cement Plant in Bath, Council hereby

- 1) requests an extension of the notice of appeals deadline of January 5th, 2007;
- 2) requests the Minister of the Environment to provide information, in writing or in person, regarding the timing of the decision on the Lafarge application, the lack of communication in this matter and the reasons why Council’s request for a public hearing under Part 5 of the Environmental Protection Act was not approved;
- 3) requests an explanation as to why there was no discussion with Council on the proposal and subsequent decision to use Loyalist Township as a test site for the burning of alternative fuels in cement kilns; and further
- 4) asks to be advised of the standards for emissions and other conditions that will be in place for the burning of alternative fuels at the Bath plant following the completion of the test period.

A copy of this resolution will be sent to the Secretary - Environmental Review Tribunal; the Environmental Commissioner, Ministry of the Environment; the Director, Section 9, Environmental Protection Act, Ministry of the Environment; the Honourable Laurel Broten, the Minister of the Environment; Mrs. Leona Dombrowsky, MPP, Hastings-Frontenac-Lennox & Addington; the Honourable Dalton McGuinty, Premier of Ontario; and to Susan Quinton, Clean Air Bath.”

I trust this is the information that you require.

Yours truly

A handwritten signature in black ink, appearing to read 'B. Hamilton', written over a horizontal line.

Brenda J. Hamilton, CMO
Township Clerk

c.c. The Honourable Dalton McGuinty
Premier of Ontario

The Honourable Laurel Broten
Minister of Environment

Mrs. Leona Dombrowsky, MPP
Hastings-Frontenac-Lennox & Addington

The Environmental Commissioner

The Director
Section 9, Environmental Protection Act
Ministry of the Environment

The Director
Ministry of Environment – Eastern Region

Ms. Susan Quinton
Clean Air Bath