

Burning Regulation enforcement MoE's responsibility

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Township of Tyendinaga Eastern Harmony Road resident Delores Snyder is less than impressed with the area burning of household garbage. Snyder claims she regularly witnesses the aftereffects of garbage being burned in unsupervised backyard burn barrels saying there are "clouds of smoke [which] keep our homes and lungs filled with the stench of someone's garbage." The barrels which Snyder thinks are being used for the burning of plastics and diapers were originally intended for dry combustible materials only. The smoke clouds have been so thick at times Snyder has been near calling 9-1-1 for aid.

Making a delegation at the township of Tyendinaga's June 7, 2004, council meeting, Snyder insisted, "[Harmony Road] has become a toxic environment and I would like to see Council put a stop to it."

A 1990 Ministry of Environment (MoE) file documents that, "Open fires cause air pollution. The resulting smoke and odours contain potentially harmful contaminants and can aggravate respiratory conditions, reduce visibility, and generally lessen the enjoyment of property." There is a provincial legislation against the burning of garbage and although it is under the MoE's jurisdiction and responsibility to enforce that legislation, because of staffing shortages they would like to pass on that responsibility to area municipalities, something Snyder learned when she contracted the MoE for help.

Executive Director of the Canadian Institute for Environmental Law and Policy Anne Mitchell, has stated in a previous *Community Press* article that the burning of plastic "is a major source of toxic pollutant emissions that can seriously harm the environment and human health."

Councillors Iain Gardiner, Fred Lang Jr., Wayne Pascoe, Reeve Margaret Walsh, and Deputy reeve Harold Buckley were all sympathetic to Snyder's complaint and understood the shortages at the MoE but were adamant that local municipalities could do very little in this type of situation.

"The responsibility right now sits with the Province," Councillor Gardiner said. "We can't attempt to regulate something that is [considered] illegal by another level of government."

Ideas were discussed on how the municipality may enforce the burning legislation including passing a no-burning bylaw with area limits, sending a blanket letter from the municipality to area residents, educating citizens on proper burning and recycling methods, and implementing full township garbage pickup. Not satisfied with any of these ideas, council agreed to Gardiner's motion to investigate the situation further with the MoE and clarify their intent of upholding provincial laws. Council also passed Councillor Pascoe's subsequent motion to ask other municipalities for support with the previous motion. It was thought that with the insistence from a

group of municipalities, the MoE would be quicker to take the necessary measures needed for them to meet their responsibility regarding the matter.

The morning following the meeting, Delores Snyder got a personal call from Reed Margaret Walsh confirming the municipality's support of Snyder's plea, along with the assurance that the municipality would contact the MoE for their view as well as other municipalities for their support.