In response to your request for comments regarding proposed amendments to the Aggregate Resources Act, I submit the following:

1. One of the conditions of approval for new pits/quarries or expansions of existing facilities, should be a 1' reserve to be conveyed to the municipality (as in the case of subdivision approval) to ensure complete control by the municipality of any potential expansion, thus requiring the operator to go through the same rigorous and robust planning process as a new application.

2. The concept of a Rehabilitation Plan is terrific, except that operations are rarely, if ever, closed to avoid the costs associated with rehabilitation. What is required is a ***Sunset Clause***, which will give the operator a finite permit for extraction of no more than 10 years. This will enable the municipality to require more up-to-date/prevailing impact studies for any potential renewal of the licence. It is also a necessity that, with all of the agencies within all of the levels of government, all regulations be strictly enforced.

3. The aggregate industry has not abided by the current rules so why trust them now or in the future? Of all of the industries operating in Ontario, the aggregate industry is likely the last that should be self-regulated.

4. The province must increase the number and depth of studies for the application process for existing operators and new applications to ensure that our natural resources (headwaters, water tables and surface waters) are not impacted. Each municipality, regional municipality or the province must have the right and be obligated to reject outright those applications deemed dangerous in any form.

5. Municipal/regional land use controls relating to the aggregate industry and the depth of aggregate extraction must be retained to ensure local controls for the protection of its tax-paying residents. Only lands that are adequately distant from settlement areas and all environmentally sensitive lands should be made available to the aggregate industry.

6. Since it is the local and regional municipalities that are responsible for roads and maintenance, they should be allowed to impose conditions on the haulage and be allowed to enforce local bylaws as they are most informed about local conditions. Building and maintaining roads is extraordinarily expensive. The increased damage by aggregate haulage vehicles, as well as the increase in noise and air pollution, policing as a result of the numerous accidents involving these vehicles, significantly increases municipal costs. As a result, most municipalities barely break even, if not suffering financial losses after absorbing these costs. The aggregate industry must be forced to pay its fair share of building and maintaining the road system.

7. To avoid conflict of interest, studies conducted of existing inventory should be completed by consultants not on the payroll of the aggregates industry. There is adequate potential inventory for several decades in existing facilities, without the need for new licences – a ***moratorium*** in some municipalities is exceedingly necessary due to the increased impact on the public and the environment, including air, noise, water, traffic, etc. The aggregate industry must be compelled to disclose the extent of their

land holdings, the ownership of which is concealed by employing numbered companies. Residents, present and future, have a right to make informed decisions about how their lives will be impacted by residing near a pit or quarry.

8. Where there is a conflict between the aggregate industry and communities and the environment, the government for the people (and the environment) must prevail over the financial interests/bottom line of a multinational corporation with absolutely no regard for the welfare of our province.

9. **Minimum** setbacks from communities, environmentally sensitive areas, roads, etc. must be carved in stone by the province to avoid continuous conflicts and costly court proceedings: studies indicate a minimum setback of 800 m where blasting is to occur (studies have shown that flyrock – an issue just coming to the forefront in Canada but extensively studied elsewhere internationally – can be hurled up to 800 m (and occasionally further). Flyrock from blasting has caused injury and death and extensive property damage. A lesser setback may be warranted for pits. Blasting or quarrying below the watertable should never be permitted adjacent to an aquifer as the impact on water supply and quality will be devastating.

10. All permit applications must be required to include **unbiased** social, economic, environmental and health impact studies, and, where there is the potential for blasting, the issue of Flyrock and silica dust must be addressed. Further, all submissions should include a list of all changes made between any ***Draft*** reports and the final report, with all residents within 1,000 metres notified of the application and allowed to comment on the application.

11. Consultants for the aggregate industry who provide biased or misleading studies must be held financially liable and professionally responsible for faulty/biased documents and precluded from supplying further studies. They should also be reported to the bodies or associations that govern their professional conduct.

12. Any future potential employees of the provincial government in any ministry directly or indirectly associated with the aggregate industry should be made to sign a waiver whereby they cannot accept employment from the aggregate industry for at least 2 years to avoid potential conflict of interest (i.e., in many cases, MNR and MOE employees leave to seek employment with the aggregate industry and may seek to avoid conflict during their government employment with the industry in the hopes of future employment).

13. It must be made substantially disadvantageous for pit and quarry operators to provide biased/faulty consulting reports/studies or violate regulations that result in damage/injury to the neighbourhoods, the environment, etc. by imposing onerous fines of tens of thousands of dollars **per day** as a deterrent, rather than meager fines considered merely the cost of doing business. Substantial Letters of Credit should be held by the municipality for these fines. The taxpayer must not be made to carry the financial burden or risk for aggregate companies.

14. Residents and various government agencies should not have to go through a protracted and expensive legal process with the operator to recoup costs and punitive damages or wait for mitigation as a result of injury and/or damage by the operator. A substantial Letter of Credit should also be held by the municipality for this purpose.

15. Finally, and perhaps most importantly, the David and Goliath scenarios that constantly occur between residents with limited financial resources and multi-billion dollar international conglomerates is patently unfair. Residents should not experience a diminished quality of life, have their savings depleted, and the value of their homes reduced, while they fight these monoliths with unlimited resources. Our new provincial government was elected on the premise that it would be the government of and for the people. It is time that the various levels of government proactively protect the safety and the wellbeing of the public and the environment in all aspects by imposing stiff regulations and supporting them in practice as well as in theory.