

*Water Resources Programs*

My amendment does not have the effect of including existing institutions. Over the years we have permitted in this country, wrongly and carelessly, hundreds of municipalities to build only primary waste-disposal facilities. We cannot tell them to stop the minute this act comes into force. We were told in committee that in Canada alone it would cost \$11 billion to re-cycle all the waters in municipal plants. We cannot force factories that have been polluting for years to stop the day the act comes into effect. That is why the agencies will be set up. These factories will have to cut back steadily. It would be unrealistic to say that they cannot discharge effluent into any river at any time in the future. This would be a physical impossibility.

I am removing from the clause we are now considering the words which permit the discharge of effluents on payment of a fee. I merely say that in a water quality management area the discharge of effluents may be made in accordance with the plan for the area, and in the rest of the country there may be no waste disposal which would lower or degrade the quality of the water. There was a lengthy debate in committee in connection with this amendment and whether we could pass a law, not legally but in reality, which would state that no waste shall be deposited as of this moment. We were told that it would be unrealistic to say that. The definition of "waste" is given in the act. Waste is defined as—

—any substance that, if added to any waters, would degrade or alter or form part of a process of degradation or alteration of the quality of those waters—

The point I am making is that the definition of "waste" in the bill is really an anti-degradation clause. It states that you shall take a river or body of water as you find it and that you shall deposit nothing in it which will further degrade it. This type of anti-degradation section is found in almost any water quality standards code. The first thing that goes in, regardless of anything else that is in the code, is that a person shall not do anything to degrade the waters below what they now are. This is the answer to the proposition that the minister and others keep raising—that if minimum standards are put in, clean waters will be brought down to those minimum standards. This is not true. It is nonsense. An anti-degradation clause is included in almost every bill which defines water quality, stating that regardless of the minimum that is set in the bill, any waters above that

[Mr. Aiken.]

minimum shall be maintained at the level of purity that now exists. This is the intent of my amendment. No deposit of waste, after the passage of this bill, shall be permitted which would degrade any waters in Canada below their present standards.

• (9:10 p.m.)

I wish to turn for a moment to the relations between the federal government and the provincial governments in the area covered by this amendment. The minister has joined issue with the government of Ontario as to the latter's methods of approaching water quality management. The province has always taken an approach using the threat of penalties. Penalties have not always been enforced to the fullest extent; rather, they have been used as a lever, as a last resort. The province does not prosecute a company which is making an effort to improve the situation; the penalty is kept as a final club. The minister says this approach has obviously failed to work, so he proposes to try a new approach using the water basin theory.

I do not agree that the approach by way of penalty has failed to work. I thought once that the idea of penalties was fundamental to the water bill now before us. That is all we heard during the first two or three months, that a \$5,000 a day penalty would scare the hell out of all the big companies and they would begin cleaning up the mess. Now there seems to have been a change in the government's thinking. There seems to be a degree of confrontation between the federal government and the government of Ontario in this field. This is particularly to be regretted since the efforts of both jurisdictions will be required to clean up the situation in Ontario. The Ontario people have been saying: As far as we can see, this bill will not work in Ontario because we have adopted an approach by way of penalties. We have established the Ontario Water Resources Commission which now has 15 years' experience behind it, and we do not know how on earth it will be possible to impose a water basin system on the one we have, which is entirely different.

This is a difficulty which has been obvious from the beginning. The history of the matter is interesting. When the announcement was first made as to the nature of the present bill, the Ontario Water Resources Commission, which is an independent commission of the Ontario government reporting to the legislature through the minister of energy and resource management, stated, "This legisla-