

Transportation of Dangerous Goods

The same thing applies to the clause on accidents and incidents where damage or danger to life, health or property is considered. Why is the environment not included here as it was in clause 13(1) of Bill C-17?

Why is there no reference to the environment in clause 16(2) of this bill, which concerns the duty to take reasonable emergency measures to repair or remedy any condition or reduce or mitigate any damage to or destruction of life, health and property?

Why is there no reference to the environment in clause 19(1) of this bill, which gives the Minister of Transport the power to direct an inquiry into an accident or incident involving dangerous goods which has resulted in death or injury to any person, or danger to health or safety of the public, or damage to property?

Clause 16(1) of the previous bill, Bill C-17, gave the minister the power to direct an inquiry into an accident or incident which results, and I quote: "in death, or in damage or in danger to life, health, property or the environment". This wording in the preceding bill is more comprehensive, and I submit to the minister that it broadens the scope of the bill. It is a better approach.

Let us consider an accident involving dangerous goods which might occur in an area where there was no death or direct injury to any person or danger to the health or safety of the public or damage to property, but which could seriously damage the environment. There could be a situation like that in this very large country where a variety of situations may occur.

We on this side of the House question the necessity of clause 6(4), which provides that no proceedings by way of summary conviction may be instituted after two years from the day the offence was committed. Why the time limit? Would an offender not be responsible for long-term damage caused, for example, by chlorine gas?

With regard to other matters, we would like to express the hope that regulations will take into consideration the danger posed by railway cars carrying a variety of chemicals which, in combination, could be disastrous, and we ask whether regulations will be drafted in a way which will require that such chemicals be effectively separated while travelling in the same convoy.

Another point of concern which perhaps goes beyond the scope of this bill but which nevertheless needs to be mentioned in this debate, is that there is no provision for unguarded railway crossings along routes taken by trains carrying dangerous goods. We welcome the opportunity to register this point with the Minister of Transport (Mr. Mazankowski). We also urge him, besides looking into the matter of unguarded railway crossings, to ensure that there will be regulations which require trains carrying dangerous goods to bypass urban areas, where tracks are available or where there is a system which is available but which perhaps needs to be modernized or upgraded. And in the longer term, of course—and we realize the expense that is involved here—we urge that a policy of

[Mr. Caccia.]

railway relocations be considered where alternative routes are not available.

We are concerned really about the omission of references to the environment as a matter of principle. Whenever we move goods which are potentially damaging to the environment, it becomes crucial for governments to take a leading role in the protection of the environment in the broadest sense of the word, and by omitting any reference to it in the text of this bill and even in its title, the environment becomes relegated to the last page of the bill, just in the schedule. That is where it is found, and yet we thought we were looking at a total picture and that we were concerned about life, health, property, the environment, everything, not one to the exclusion of the other, which prompts me to ask where the Minister of the Environment (Mr. Fraser) was when this bill went through cabinet. Was he consulted?

Mr. Mazankowski: Yes.

Mr. Caccia: Did he have any input in this?

Mr. Mazankowski: Yes.

Mr. Caccia: What did he say to justify the omission—virtually the deletion—of this word from the present bill? Why was the word "environment" dropped? Was there any fear of encroaching on provincial responsibilities? Did Ontario raise a fuss?

Mr. Kempling: No.

Mr. Caccia: Did Ontario say that perhaps it would be inadmissible—

Mr. Kempling: No.

Mr. Caccia:—that Ottawa should have in a federal bill any reference to the word "environment"?

Mr. Kempling: No.

Mr. Caccia: Were you in cabinet?

Mr. Kempling: Yes.

Mr. Caccia: How do you know?

Mr. Kempling: They told me.

Mr. Caccia: Of course. I should know that the whip of the government party is a person who knows everything, by definition.

Mr. Kempling: That's right.

Mr. Caccia: We are wondering about the clout of the Minister of the Environment in relation to this bill. There is a very serious shortcoming, and we would like to register these thoughts with the Minister of Transport. We know he is concerned about the environment, and we hope that in committee there will be an opportunity to redress this omission and to bring into focus again and into the centre of consideration