

public servants about this matter should or should not be released. I am confident that there may even be a couple of seals on the Liberal side of the House who will recognize the views of their constituents. I am presently in touch with most constituencies in the country about this matter. I am sure Canadians will be interested to know how their Members vote on this issue.

Mr. Tobin: Dream on.

Mr. Fulton: The Member across the floor always has smart remarks about Members on this side. We hear a lot of talk from that particular Member from Newfoundland. I will be in his riding during the next election and we will see whether he comes back here. Liberals do not even like to have facts put on the record, particularly the little one over there.

On September 18, 1978 Amax officials met with the Hon. Len Marchand who was Minister of State for the Environment. The Amax officials wanted to determine the procedure to obtain an authorization under the Fisheries Act to deposit tailings into Alice Arm. There was no discussion on the legal mechanics of drafting a regulation to authorize marine deposit of tailings. That view was expressed by Mr. Seaborn, who was then the Deputy Minister of the Environment and is now the Government's appointment to the International Joint Commission at approximately \$80,000 a year. In the drafting carried out by Mr. MacLachy, almost all of the wording is the same. However, it is interesting to note that section 4 of the MacLachy document states that Iona Campagnolo was present. She was the Member for Skeena at the time. She was present along with Mr. Marchand and they wanted to determine the procedure to obtain an authorization under the Fisheries Act to deposit tailings into Alice Arm.

I do not believe that any Member of the House can stand in good conscience and vote to continue hiding those 200 documents, knowing that this kind of activity was occurring at the same time as the scientists in British Columbia were trying to determine what the impact would be between marine tailings disposal and on-land disposal.

Of course, this matter was taken before the Joint Committee of the Senate and the House on Regulations and Statutory Instruments.

Mr. Tobin: It was controlled by the Conservatives.

Mr. Fulton: I hear the little mind saying that the committee was manipulated. He never bothered to show up. We know where his credibility lies. On page 2 of the document dated May 28, 1981, which was sent to the former Minister of Fisheries and Oceans, the committee had this to say to the Minister:

It is apparent to the Committee that the prohibition imposed by Parliament in Section 33(2) of the Act—

Referring to the Fisheries Act.

—and the general rules set out in the metal Mining Liquid Effluent Regulations will be of little value if special regimes come to be established to allow particular mining operations to dump tailings and effluents in enormous quantities. That such a situation might arise would seem to be altogether at odds with Parliament's purpose as expressed in Section 33 of the Act. Consequently, the Committee must assess the Alice Arm tailings deposit regulations carefully. It is

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clearly not the case that any or every exercise of power to set special standards or dumping limits is an unusual or unexpected use of power. What the Committee must address itself to is whether or not the deposits allowed in this case go beyond or are inconsistent with what reasonable men would consider to be anticipated under section 33.

That is very key.

The general limits set out in the Metal Mining Liquid Effluent Regulations have clearly been drastically exceeded. There has been no mere accommodation of a minor problem, or even of an existing mine. Rather, there has been an accommodation of a mining venture which it appears to the Committee might have been deliberately planned so that a special regime inconsistent with the general prohibition of section 33(2) of the Act and with the standards and concentrations set out in the Metal Mining Liquid Effluent Regulations would be essential.

Subsequent to this letter being written, we now have proof that the former Minister of the Environment, Mr. Marchand, and the former Minister of Amateur Sports, Mrs. Campagnolo, were present at a meeting with Amax either at the same time or at different times. The purpose of their meetings was to design marine tailing deposit regulations before the scientists had an opportunity to oppose the marine tailings disposal. I continue with the letter:

This might be thought to come dangerously close to treating Section 33(4) of the Act as a carte blanche to allow unlimited, unconfined and unrestricted dumping of toxic materials.

The Committee is also troubled by the effect that the latitude being allowed the Amax Kitsault Mine may have on the sentencing of those convicted of breach of section 33 of the Act or of exceeding the limits set out in the Metal Mining Liquid Effluent Regulations. Courts may be reluctant to impose sentences of any real deterrent value when defence counsel can point to dumping limits of the dimensions sanctioned in the case of the Kitsault Mine.

The vote taken by that committee, which was four to three, censuring the Minister of Fisheries and Oceans for unusual and unexpected use of power still stands despite the real manipulations of the Liberal Party across the way. I hope they can stand in their place and list the 200 or 300 groups in this country that support the hiding of these documents. I doubt there would be the Anglican, Lutheran or United Church, the B.C. Medical Association or the B.C. Teachers' Federation in that list. I challenge any Liberal to rise in the House and list the groups. The groups would be various Liberal riding associations and corporations trying to hide the facts from the Canadian public.

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In fact, I have in my hand today one of the documents which I am pursuing. One of the reasons that the Liberals are hiding these documents so carefully will be proven in a moment as I read a few facts into the record. This document is dated December 11, 1978. It is addressed to Mr. R. Hoos from Mr. D.E.C. Trethewey of the Canadian Wildlife Service, and it is with regard to the Amax operation and the recommendation which Mr. Hoos had made. It states:

I find the procedure employed in the presentation of this report to the JDCC to be highly irregular and completely unacceptable. As Chairman, you have unilaterally prepared and submitted to the JDCC on behalf of the Task Force, but without its approval a report containing a recommendation to proceed with the project. This recommendation did not reflect the opinion of the majority of the Task Force and apparently was based on your own particular biases.