

Proceedings on Adjournment Motion

of Canada today, and I am pleased to see members of all parties are taking a keen interest in this problem. I am fully aware of newspaper stories of this incident, and of the investigation carried out by the Ontario Water Resources Commission. However, the federal government also has a responsibility in this particular area of Lake Ontario, and this matter certainly comes within the orbit of several federal departments.

If an investigation has been carried out by the Department of Energy, Mines and Resources or any other federal department, we should certainly be entitled to see the report. If the investigation was carried out in co-operation with other authorities, the report should still be available. If there was no federal participation, then we have every right to ask the minister to tell us why there has not been compliance with the pollution regulations laid down by government. I understand that the Great Lakes system, and its pollution problems, come under federal jurisdiction.

• (10:10 p.m.)

The Minister without Portfolio (Mr. Lang) indicated on May 29 that the government was concerned with the general pollution problem in Hamilton Bay. He stated also that there are certain federal legislative powers in existence which can be used in certain instances. For example, there are powers under the Fisheries Act, under the Shipping Act and under the health act. His own department also exercises certain powers, and there are powers under the International Joint Commission. In my opinion, these powers could have been used to investigate the incident to which I have referred.

If none of the above agencies was used to investigate the acid spill, I ask why this was so. It is the dismal lack of enforcement, even by our present inadequate pollution standards, which is partly responsible for the dangerous pollution hazards that exist everywhere. Why are regulations written by certain departments and then ignored? The acid spill in Hamilton Bay clearly falls within federal jurisdiction and we are awaiting the minister's report. If a jurisdictional problem is involved, I ask the minister to outline it and to tell us what is being done to solve the problem.

Let me just refer to a few of these regulations. Hamilton Bay falls within the jurisdiction of the National Harbours Board. Among

[Mr. Harding.]

the regulations pursuant to that legislation is the following:

Nothing shall be thrown, drained or discharged into the water, allowed to come in contact with the water, or deposited anywhere within the limits of the harbour, which may in any manner—

(b) cause any nuisance or endanger life or health;—

This regulation clearly includes the pollution that occurred in this case. There are also regulations pursuant to the Fisheries Act, one of which provides that:

No one shall throw overboard ballast, coal ashes, stones, or other prejudicial or deleterious substances in any river, harbour or roadstead, or in any water where fishing is carried on—

It goes on to provide:

Every person who violates this section is guilty of an offence and liable for the first conviction to a fine of not less than \$100 and not more than \$1,000, or to imprisonment for one to six months, or to both.

For the second and any subsequent conviction, he is liable to a fine of \$300 to \$2,000 or to imprisonment of two to twelve months, or to both.

In addition, the Governor General in Council may make regulations respecting the obstruction and pollution of any waters frequented by fish.

I should like also to put on record part of a letter written by the Minister of Fisheries and Forestry (Mr. Davis) that appeared in the *Globe and Mail* on June 14, 1969:

The federal government has full and comprehensive jurisdiction over Canada's fisheries. Under the British North America Act this covers "sea coast and inland fisheries". From 1868 onwards the federal Fisheries Act has contained clauses dealing with the quality of water and measures designed to protect fish and other forms of marine life.

While some sections of the present Fisheries Act need to be updated, I feel that this particular piece of legislation provides an excellent vehicle for federal participation in the war against pollution, not only on our sea coasts but also in our inland waters as well.

I ask the minister concerned why some of the federal powers in this field have not been exercised. In my opinion, there is no doubt that the spill in Hamilton Bay falls under the jurisdiction of several federal government departments and they cannot escape their responsibility. We need immediate action on pollution problems, not only in Hamilton Bay but everywhere. The federal government cannot escape its responsibility in this field. I urge the minister and the house to make this question one of the top priorities in the years to come. Man and his very existence on earth depends upon the solution of this pollution problem.