

a veto is very alarming to those of us who are interested in environmental questions. Of equal note is the fact that this is a particularly humiliating provision for the Department of the Environment to have to write into its own law. It confirms the fear which many of us have, both in this House and throughout the country, that the Department of the Environment is a second status department within the Government of Canada. This confirms our opinion that this is a department whose views are overridden, and that this is a department which wants to make a presentation before the Berger Inquiry but is persuaded by ministers of stronger departments to back off.

● (1530)

The reason we have this concern is that we have met, on so many other occasions, instances in which the Department of the Environment, instead of undertaking its own assessments of what the Department of Indian Affairs and Northern Development is doing, or what the Department of Regional Economic Expansion is doing, or what the Department of Transport is doing, requires these departments to make their assessments first and then it takes a second look at their work. It does not have the kind of initiating power that a Department of the Environment should have if it is going to be effective in preserving the environment of this country. For that we need a Department of the Environment with teeth.

The reasons we particularly regret this mandatory requirement to consult, which I think it would be sensible to read as creating the capacity for veto in other departments, is that it is so sadly consistent with the relatively second status role that the Department of the Environment has played far too often under this government. Let me make it clear that in saying this I mean no personal criticism of the minister—I think she does as well as she can—but that her colleagues are stacked against her. I think that is a situation which is very sad for those of us who are concerned about the maintenance of the Canadian environment.

If we were to write into the law a requirement regarding consultation on projects which involve the Department of the Environment it would be far preferable to have a provision which required other departments to consult with the Department of the Environment, so that the veto power, if there were to be one, would reside with the Department of the Environment. We have the reverse, and that is a matter which I and others here very much lament.

One suggestion I think might be considered by the minister, and I hope will be, and certainly we propose to pursue it in committee, is that if this humiliating clause, which requires the Department of the Environment to go to other departments before it does anything, stands, there at least should be a time limit written in so the provinces, in their cases, or other departments, in theirs, will have only a fixed and limited period of time in which they can make their objections known to the Department of the Environment. To some degree that would lessen the humiliation of this provision in the bill which is, as I say, humiliating to the department.

Let me turn briefly to the question of the adequacy of the testing of contaminants that are forecast in this par-

Environmental Contaminants Act

ticular bill. In the first instance, as this legislation is written, any tests would be undertaken by the manufacturer, and that of course assumes the small bird flies out of the air, or some divine inspiration strikes the minister to let her know there may be a danger. Even if the danger is detected, and that is a big if, and the fact that it has to be raised indicates a very vital flaw in this bill, then the first test is undertaken by the manufacturer, or the people who are in a sense creating the problem.

In most cases, I think we, as reasonable members of the House of Commons, would agree that the test undertaken by the manufacturer would be an adequate test, but I think it would be naive for us to say that, just because the test would be adequate in most cases, it could be relied upon to be adequate in all cases. I would be interested in hearing from the minister just how she intends to ensure the adequacy of testing, to see that the tests are not rigged by the manufacturer, under the legislation that she places before us.

I would be interested also in knowing how, under this provision, there is to be any assurance of uniformity of tests among competing companies, and that the same rigour is pursued by one company involved in introducing a particular new product as is pursued by another company. It is important to ask whether the fact that the Department of the Environment in moving the burden of testing to the producer will work in practice as a prejudice against smaller companies which might not have the capacity to test that some of the giant corporations and manufacturers possess.

If that is the case is there going to be a provision written into this legislation, or will some solid assurance be given the committee in this regard, that will allow the Department of the Environment to undertake these studies in an initiating stage rather than having to wait for a report from the manufacturer whose products are under consideration?

After receiving the report from the company which the minister has reason to believe might be introducing a dangerous contaminant, then the matter, according to this legislation, goes to the Environmental Board of Review which has substantial powers, in fact powers under the Inquiries Act. But the question still remains regarding the Environmental Review Board as to what capacity it has to test. It can adduce evidence, as I read the legislation, but as I read it there is nothing here to suggest that the board has the capacity to undertake tests.

My suspicion that the legislation is thus weakened is added to by what we know of the budget that has been granted to this agency so far. For the year beginning April 1, 1975, only \$100,000 is set forth in the estimates to establish the Environmental Board of Review. We understand that is to be a board with three officers, and probably a staff. It could well be that the \$100,000 in the first year of operation will be consumed in its entirety by staff expenditures and by advertising.

I mention advertising because all of us are a little apprehensive about the practices of the government in advertising virtues it does not possess. The most recent matter in the minds of most of us is the full-page ad that has appeared in newspapers all across Canada—I refer to it as the three stooges ad—which invites people to rush out