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Safety upgrades part of Orica, ELGV deal

By Richard Vivian, June 14, 2010



Orica Canada explosives facility. *Banner File Photo*

Several safety upgrades are coming to Orica Canada's explosives facility near Grand Valley as part of a settlement reached ahead of an Ontario Municipal Board (OMB) hearing that began last week.

As a result of the deal, which includes many more concessions and a financial commitment to the township, East Luther Grand Valley (ELGV) no longer opposes Orica's request for authorization to operate at a Sideroad 21-22 property.

"I think the township did reasonably well getting things resolved and the costs covered," said Mayor John Oosterhof, referring to a stipulation Orica pay the municipality's legal bills related to the OMB hearing and a previous legal battle regarding Orica's use of the site.

"The lawyer probably got the best he could under the circumstance. It's pretty hard to fight an OMB case when all the experts seem to agree that the problems can be mitigated and, you might say, disappear and the risks are very minimal.

"How are you going to argue (against) that?"

Orica filed an appeal with the OMB last June, after township council denied its requests for zoning and site plan approval to operate on the land it has leased since 2007.

The property has housed an explosives storage facility since 1994 — largely without approval from the municipality — under the banner of various companies.

At the time of council's denial, concerns were raised about impact on the environment, potential for spills, safety, water and more.

If ultimately approved by OMB chair Don Granger, the settlement would require ongoing monitoring of the water table, a spill contingency plan, creation of an onsite spill containment pond, restrictions on hours of operation and the rebuilding of a nearby bridge, as well as training and upgraded equipment for emergency responders.

It also includes a \$100,000 payment to the municipality for parks and public recreation purposes, as well as a voluntary commitment from Orica to support community activities, clubs and more.

"We're pleased that we were able to work together with the township to address the concerns of the community and look forward to strengthening our ties with the residents," said Orica site manager Stan Harlen.

"It was an extensive process and there was a lot of work undertaken, both by the township and by Orica and their consultants," he added of the OMB-ordered mediation that led to the settlement.

An OMB hearing began June 9 and was scheduled to last through June 18. However, because of the agreement between Orica and ELGV, the hearing was adjourned early on June 10 and was expected to reconvene yesterday, when community members who oppose the plan will state their case. About a dozen residents are scheduled to speak.

Orica officials will have an opportunity to respond on June 16 to any concerns raised.

"The people who live in the evacuation zone got nothing," Peter Turrell, who lives closest to the explosives facility and is one of the company's most outspoken opponents, said of ELGV's deal. "I'm shocked that a private company can stick people in an evacuation zone at their whim and just destroy their whole lifestyle and their property values."

He points out the settlement doesn't include measures specifically aimed at handling an emergency involving Orica trucks while offsite.

"If another accident happens, like the one that already did, and it detonates, we're dead," Turrell said, referring to an April 12 collision between an Orica truck and a van at the intersection of Sideroad 21-22 and Concession 2-3. "We have a unique situation in that it's a dead-end road and we could be trapped. It's not like normal places where you can run the other way. We're stuck."

An Orica truck driver was charged with disobeying a stop sign in relation to the April incident.

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