

PETITION FOR JUSTICE # I APRIL 21/2009



TOBY BARRETT

MEMBER OF PROVINCIAL PARLIAMENT
HALDIMAND-NORFOLK



LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 21 April 2009

PETITIONS

AGGREGATE EXTRACTION

Mr. Toby Barrett: I've got several hundred names here on petitions to the Legislative Assembly of Ontario. The title is: Nichols Gravel Ltd., Petition for Justice and MNR Compliance to OMB and ARA Legislation.

"Whereas officials of MNR Aylmer district illegally imposed on licence 103717 without legislative or delegated authority pre-conditions to be completed prior to operation of the quarry which in fact were impossible to complete without quarry operations, and then used ARA legislation to revoke the licence for non-compliance, when to this date no 'operational licence' has yet been delivered to Nichols Gravel Ltd. under direction of OMB order 1194;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"For an order to the Ministry of Natural Resources to cease all illegal enforcement and to comply with legislation of the OMB Act s 86(1) Cayuga file 148/07 Superior Court judgment order, OMB order 1194 and the Aggregate Resources Act, and reinstate Nichols quarry lic. 103717, illegally revoked September 30, 2004, based upon MNR enforcement of 23 specific pre-operational conditions not identified or directed in OMB decision order 1194 or the licence signed by the minister March 25, 2003."

The reference is www.injusticecanada.com.



PETITION # I
NON RESPONSE JUNE 10/2009

JUN 10 2009

Sessional Paper No. P-231

OCMS MNR3006-2009-1310

Petition relating to Nichols Gravel Limited (Sessional Paper No. P- 231) Mr. Barrett.
(Tabled April 21, 2009).

RESPONSE:

The Ministry of Natural Resources is concerned about any activity that could jeopardize our natural resources and potentially impact public safety. My ministry is also concerned about the impact an operation of this magnitude while operating without a licence could have on neighbouring groundwater supplies.

The Ministry of Natural Resources has been involved in proceedings against Nichols Gravel Ltd. and two of its Directors. In March 2003, a licence subject to 56 conditions ordered by the Ontario Municipal Board was issued by MNR to Nichols Gravel Ltd. In April 2003 the licence was suspended and in September 2004 the licence was revoked for failure of the licensee to address several conditions of the licence.

Proceedings under the *Aggregate Resources Act* remain ongoing against Nichols Gravel Ltd. and two of its Directors. As matters pertaining to these issues are currently before the courts, it would be inappropriate for me to comment further.


Hon. Donna Cansfield
Minister

PETITION # I

No. P-231 Nichols Gravel Limited

Member	Date tabled	Date of response
Mr. Barrett	21 April 2009	20 October 2009