

Ministre des Transports,
de l'Infrastructure et des Collectivités
et ministre de l'Agence de développement
économique du Canada pour les régions du Québec



Minister of Transport,
Infrastructure and Communities
and Minister of the Economic Development Agency
of Canada for the Regions of Quebec

JUL 16 2012

Ottawa, Canada K1A 0N5

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JUL 12 2012

Mr. Neil Everson
Director
Economic Development Division
Planning and Economic Development Department
City of Hamilton
71 Main Street West, 7th Floor
Hamilton ON L8P 4Y5

Dear Mr. Everson:

Thank you for your correspondence of December 20, 2011, which was co-addressed to the Honourable Leona Aglukkaq, Minister of Health and Minister of the Canadian Northern Economic Development Agency, regarding the use of perfluorooctane sulfonate (PFOS) and its salts at Hamilton International Airport. I am also in receipt of Minister Aglukkaq's response to you dated February 7, 2012. Please accept my apologies for the delay in replying.

Transport Canada officials have informed me that the Hamilton Airport lands were leased by the Crown to the City of Hamilton prior to 1987, then to the Regional Municipality of Hamilton-Wentworth on April 1, 1987, and that ownership of the Hamilton Airport lands was subsequently transferred by the Crown to the Municipality on December 20, 1996.

Accordingly, during the period in which you stated that the fire training area was built and used, the airport lands were leased by the Crown to either the City or the Municipality.

Prior to the decision by the Municipality to accept a transfer of the Hamilton Airport lands, Transport Canada contracted with independent consultants to carry out an environmental baseline study. It is important to note that, at the time of the study, PFOS was not considered a hazardous substance under applicable provincial legislation, and the consultants did not investigate whether it was present in the airport lands. PFOS was only identified in the *Canadian Environmental Protection Act, 1999* List of Toxic Substances following the transfer.

Canada¹⁺¹

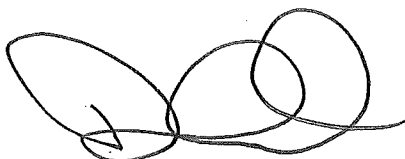
As part of its due diligence, the Municipality received and reviewed the environmental baseline study report prior to accepting the transfer of the Airport lands. At the time of the transfer, it was agreed in Article 8 of the Agreement to Transfer, signed by the Crown and the Municipality, that this study was *prima facie* evidence of the existence of any hazardous substances as that phrase was defined.

At the time of the transfer, the Municipality accepted the condition of the Airport lands in "as is" condition, apart from certain specific commitments of the Crown set out the Operating Agreement and the Contribution (Remediation) Agreement (see in particular Article 4 of the Operating Agreement and the specific work described in the "Final Report Remedial Action Plan Environmental Baseline Study Hamilton Airport Mount Hope, Ontario, Project No. 4350-0049-18 by XCG Consultants Ltd. Remedial Action Plan" attached to the Contribution (Remediation) Agreement). The specific work carried out by the Crown was in relation to hazardous substances within the meaning of Ontario environmental laws in force at the time of the transfer date. Transport Canada has fulfilled its obligations with respect to those environmental issues described in the Contribution (Remediation) Agreement.

I understand that you wish to review records in Transport Canada's possession relating to fire training activities. As it is important to ensure that you receive all relevant records that relate to your enquiry, I would advise you to submit an Access to Information and Privacy request to the Department.

Again, thank you for writing.

Yours sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line at the bottom.

Denis Lebel, P.C., M.P.

c.c. The Honourable Leona Aglukkaq, P.C., M.P.
Minister of Health and Minister of the Canadian Northern
Economic Development Agency

The Honourable Peter Kent, P.C., M.P.
Minister of the Environment

Mr. David Sweet, M.P.
Ancaster-Dundas-Flamborough-Westdale

Mr. David Christopherson, M.P.
Hamilton Centre

Ms. Chris Charlton, M.P.
Hamilton Mountain

Mr. Wayne Marston, M.P.
Hamilton East-Stoney Creek

Mr. Dean Allison, M.P.
Niagara West-Glanbrook

