

Biedermann wants answers about foam

ERIC MCGUINNESS

The Hamilton Spectator

July 26, 2008

The Ontario Environment Ministry is wrapping up its investigation of the Biedermann pesticides packaging plant fire a year ago today as the company calls on the Office of the Fire Marshal to reopen its probe to determine if chemical foam should have been used instead of water to fight the blaze.

The huge volume of water poured on the wood-roofed Dundas warehouse is an issue because the water drained, through storm sewers, into Spencer Creek, carrying enough of the agricultural insecticide diazinon to kill thousands of fish and virtually all the insects and tiny aquatic creatures on which fish feed.

Communications adviser Jennifer Hall issued a statement this week saying the Environment Ministry's investigation is in its final stages.

"The focus ... is on the company's preparation for emergency situations and fires, its actual response to the fire incident and whether it exercised due diligence."

She said results will be taken to a Crown prosecutor to determine whether charges are warranted, and the decision will be made public.

Biedermann technical director Brian Peirce maintains the company meets or exceeds requirements of all federal, provincial and municipal regulations.

Even though the Office of the Fire Marshal did not determine a cause, Peirce believes the fire was set outside on the roof. He bases that on reports of arson fires in the neighbourhood, reports of suspicious activity on the street that night and the fact that heat detectors inside did not go off before flames were seen outside.

He notes there was no one in the building, no electrical power and no other combustion source inside.

Biedermann believes the question of foam use "is important to aid fire departments in attacking future industrial fires," and wants the fire marshal's office to go back and provide an answer.

Assistant deputy fire marshal Bernie Silvestri, who's handling the case, was unavailable for comment yesterday.

Councillor Brad Clark said the city still wants a provincial public inquiry "to tell us what went wrong and how to prevent such occurrences anywhere in Ontario."

But council's resolution calling for an inquiry and for legislation guaranteeing the public's right to know about the presence of toxic chemicals has been ignored at Queen's Park. Mayor Fred Eisenberger hasn't had a reply from any of the three Cabinet ministers to whom he wrote during the past year, though an aide to Environment Minister John Gerretsen told The Spectator this week the minister sees no need for an inquiry.

Clark said the fire "was one of the most significant environmental events in a lot of years across Ontario and to have it ignored is shocking."

Ben Porchuk, head of conservation at the Royal Botanical Gardens, which owns the lower end of Spencer Creek and Cootes Paradise into which it flows, said aquatic life is not back to normal. Monitoring work continues, and a group of agencies is working on a restoration plan.

The Environment Ministry said it is part of that effort, that it influenced Biedermann's decision to install sprinklers and more water-containment capacity in the rebuilt warehouse and that it plans to share lessons learned from the fire with other Hamilton industries.

Jim Hudson, executive director of the Bay Area Restoration Council, said he toured the new Biedermann facility and was impressed by its fire-prevention features but was disappointed the company refused to admit Lynda Lukasik, executive director of Environment Hamilton.

Peirce said he saw no advantage in inviting someone from an organization that had harshly attacked the company.

emcguinness@thespec.com

905-526-4650