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Ontario Canada - Homes Devalued by Sewage Sludge - Taxes Reduced

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Victory in bio-solids tax case

by Paul Dalby
The Independent, Northumberland County Ontario Canada

A group of landowners in Trent Hills have won a major victory in their campaign to get bio-solids condemned as a health hazard.

The landowners all living around Warkworth lobbied the Municipal Property Assessment Corporation (MPAC) to have their property assessments reduced because bio-solids were being spread on farm fields near their property.

Two of the landowners – whose case was first reported in an Independent exclusive last November – have just been notified by MPAC that their requests have been approved.

Wendy and William Deavitt, and Diane and Wayne Cooke were successful in having their tax assessment reduced by \$5,000 in 2007 and 2008.

The reassessments, if accepted by the two couples, will have to go to Trent Hills council for final sanction. But they could be just the tip of a very large iceberg if other property owners complaining about the health risks of bio-solids also now apply for reassessment.

“The domino effect of this ruling is huge,” Ms. Deavitt told The Independent Tuesday. “There were 85 property owners at the public meeting I held last fall who could all now apply for property reassessment because of bio-solids.”

“This ruling by MPAC is nothing less than an admission of guilt by the Government of Ontario,” said Ms. Deavitt.

The Deavitts, the Cookes and Linda and Roger Donaldson all applied for their taxes to be reduced on three grounds:

- Their property values had declined because of nearby bio-solids spreading.
- Their health had been adversely affected by bio-solids activity.
- New provincial laws requiring realtors to declare any environmental problems on a sale property will make it very difficult for them to sell their land in future.

All three couples have suffered serious health issues apparently caused by

ingesting airborne particles from the bio-solids and are under the care of prominent Toronto toxicologist Dr. Anne Mildon.

The bio-solids used as a free fertilizer on farm fields in Trent Hills come from the Cobourg Water and Waste Treatment plant.

As well as containing human excretia, the sludge can also contain traces of household chemicals, detergents from washing machines, heavy metals from industry, synthetic hormones from birth control pills, and dioxins, a group of compounds that have been linked to cancer.

Treatment methods employed at the Cobourg plant claim to eliminate more than 95 per cent of the pathogens in concentrated Class B sludge.

But growing numbers of researchers – like the National Research Council of the US National Academy of Sciences – now believe there may be public health risks from sewage sludge as a commercial fertilizer.

About 120,000 tonnes of sewage bio-solids are spread on 6,000 acres of Ontario farmland each year, according to the Ministry of the Environment.

Linda and William Deavitt blame the bio-solids spreading practice for their inability to sell their 7.8 acre property just west of Warkworth. They have been trying to sell since last year but even dropping the price by \$40,000 to \$249,000 has failed to attract any buyers.

Now the Deavitts don't think they have any chance of selling.

"We have to tell the realtors about the bio-solid spread on the fields next to us and they are obliged to disclose that to would be buyers," Ms. Deavitt said.

Diane and Wayne Cooke also view their property tax reduction as a victory. "It's almost like they're saying that the bio-solids gotta be bad stuff," Mr. Cooke said Tuesday.

His wife said the admission was "all we care about". "If it had been \$5 we would have taken it because it's the principle that matters," Mrs. Cooke said.

"It's quite obvious that we have been fighting this and feeling quite alone," she said. "Now we feel that our efforts have been worthwhile."

The Cookes say they may yet sell the "dream home" they built for themselves 18 years ago on their 68-acre farm just east of Warkworth.

Trent Hills Mayor Hector Macmillan told The Independent Tuesday: "If I was living near to property that was having bio-solids spread on it, I'd want my property taxes reduced as well."

But the mayor said that as a municipality, there is still nothing that Trent Hills can do about it because "it's a provincial responsibility".

"Now we have one ministry saying it's safe to spread bio-solids and another ministry saying if you live near to a field where they're spreading bio-solids, then you deserve to have your taxes reduced."

At Monday night's Trent Hills Council meeting, councillors approved a list of voluntary measures that may tell property owners when and where bio-solids are coming in 2008.

New measures approved this week by Trent Hills Council, calling for all

adjacent landowners to receive "early warning" notices from the generator of the human sewage.

In this scenario the main source of the sludge being spread on fields in Trent Hills – currently the Town of Cobourg – would be asked to send out the notices.

The first notice would confirm that bio-solid spreading is indeed going to take place in their local area this year.

A second follow-up notice should be sent to adjacent landowners three or four days before the spreading starts.

But Trent Hills CAO Mike Rutter said this week at council the program is only a voluntary one. "Other municipalities don't have to observe our request."

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What Others Thought About This Article

Please keep in mind that the views and opinions expressed below reflect the point of view of the feedback contributor and not necessarily that of The Independent.

I attended the Trent Hills Council meeting on Monday evening as well, I was extremely frustrated by the "Biosolids Working Group" report, of which was made up of only the coucillors and the deputy mayor, no members of the public were allowed to be on the panel.

As for their recommendations of notice being given to nearby residents; that does absolutely nothing for us, as the Best Western or any other hotel for that matter does not take horses, donkeys or any other kind of livestock.

Although we do feel that there is a sense of victory, I would strongly urge residents who do apply for re-assessment to reject the ridiculous offer of 5,000.00 and attend a hearing to have their property reflect the lose of value.

The sad part is that the unknowing farmers (landowners) who spread the biosolids are the ones who will also pay in the end, they are the ones who will be sued and held responsible for property value loses, etc. The MOE will not back them up, that is why there is no indemnity agreement signed between neither the MOE or the hauler and the farmer.

I hope the farmers (landowners) have a good insurance company with lots of coverage!!!!

Wendy Deavitt - Apr 10, 2008

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It's Spring! Soon the stench of bio-solids being sprayed on fields will trigger my human vomit reflex as I drive through the pretty Northumberland countryside with my car windows closed tight. A farmer once told me not to worry, the bio-solids are only sprayed on animal feed crops! Do we really want to eat meat anymore? We are gullible to think bio-solids are safe.

As I drove into Cobourg one sweet spring day with my Granddaughter, I was gagging from the stench and asked her to roll up her window quickly.

She said, "Nana, just breathe through your mouth and it won't smell so bad."

I bought a heavy duty particulate filter mask and I'll be wearing it. Who's kidding who with this toxic liquid s--t? If it's so good for us, let's all buy a bucket of the stuff and spread it around our City Hall, our gardens and parks. Nobody needs an early warning notice...what the heck for? Are we supposed to get out of town when we get the warning so we won't get sick? The stench that curdles our guts is the only warning we need to get ourselves a gas mask and wear it. It's sadly ironic to portray this area as a centre for Health and Wellness when we pollute our own air, earth and water with toxic waste.

Catherine Elcombe - Apr 10, 2008

<http://list.web.net/archives/sludgewatch-l/2008-April/003562.html>