

Excerpts from **Is There a Regulator in the House?**

<http://halifax.mediacoop.ca/story/there-regulator-house/16247>

Everyone concerned assumes that Atlantic Industrial Services is an approved processor of fracking wastes. In an earlier article this author suggests that in accepting fracking wastes for processing **AIS appears to be operating outside the terms of its approvals from the regulator, and Nova Scotia Environment has allowed and even encouraged the company to proceed regardless.** To this allegation, provincial Environment staff replied that “the assertions in your article are without merit.”

FACT: All of the Environment department’s Industrial Approvals for AIS Debert explicitly prohibit the company from processing what are classified as waste dangerous goods. Nova Scotia Environment spokesperson Lori Errington has said repeatedly that the department has determined that the fracking wastes from Kennetcook are not waste dangerous goods, and therefore AIS is in compliance.

FACT: The NSE supervising engineer who wrote the 2008 to 2010 approvals for the Kennetcook fracking storage ponds always referred to the wastewater as waste dangerous goods, as does the consulting engineer for the driller, Triangle Petroleum. When the discrepancy was pointed out to spokesperson Errington, she queried the engineer, who backpedaled. “That is not what he meant to say,” noted Errington.

FACT: In Nova Scotia fracking wastes somehow are never classified as waste dangerous goods. We have the three fracked wells in Kennetcook and Noel, where we are told the determination that none of the wastes there are waste dangerous goods was made by Environment- notwithstanding the several documented references by the supervising NSE engineer that the Kennetcook wastes are waste dangerous goods. Then we have AIS transporting drilling and fracking wastes from a number of wells in New Brunswick. Each of those wells, especially the fracked ones, has a different chemical mixture designed for it. And somehow, in every case AIS has supposedly determined the waste fluids are not a waste dangerous good.

QUESTION: Given this track record of Nova Scotia Environment’s pliable standards for monitoring AIS, what rational basis is there for Nova Scotians to entrust the department with making the decisions of what are adequate safeguards for Atlantic Industrial Services experimenting with treating for radioactivity? This question is all the more pressing for the guinea pig residents like the author who live near the fracking waste ponds of Kennetcook and Debert.

FACT: A very key part of a Review of Hydraulic Fracturing is the regulatory and monitoring capabilities, and the performance history to date of the key government departments. Yet we have a Review composed entirely of civil servants reviewing their own departments.

The simple and easy way for our NDP government to re-assure concerned Nova Scotians would be to make concrete commitments now about substantially increasing the scope of the Fracking Review, and of making sure it is not only an in-house review.

What better time for the NDP to make such a commitment? We are in the run-up to an election that opinion polls suggest the NDP does not have in the bag. A firm and expanded commitment to a much stronger Fracking Review would unquestionably be a popular move with voters.

But there has already been considerable pressure on the government to make that move. And unfavourable news around fracking keeps cropping up even without active or permitted shale gas fracking in the province. By punting the completion of the Review off until after the election, the Nova Scotia NDP sets the table to have its cake and eat it too: keep fracking from being an issue in the election, and keep options open for future shale gas development by making sure the Review remains a quiet, in-house, affair.