



OFFICE OF THE MAYOR  
Tony Van Bynen

December 3, 2008

Dear Resident,

I am writing this letter on behalf of Town of Newmarket Council to let you know of a matter that has been brought to our attention. We feel it important to share our understanding of the information provided to us, and we also wanted to let you know of the action steps being taken by the Town of Newmarket to manage this issue, and to provide you with further opportunity to learn more and provide input.

The Town of Newmarket has been informed by Criterion Development Corporation, the developer of your subdivision, that arsenic was detected in topsoil in the vicinity of the new development located at Mulock and Bathurst.

Testing soil is part of the normal development approval process for all developers. This land was used as an apple orchard over 50 years ago. Arsenic was a common component of insecticides used in fruit orchards until the mid 1950s and, more than 50 years later, residues can still be found in topsoil. Arsenic is also a naturally occurring element in the environment.

The concentrations of arsenic found in topsoil in your residential area are all below the Ministry of the Environment's residential land-use standard of 25 parts per million. In accordance with this standard, **these levels do not pose a public health and safety concern.**

Criterion Development Corporation stripped the topsoil from the footprint of your subdivision, and the soil was shipped off-site for appropriate disposal. We were also advised that a portion of the stockpiled topsoil may have been reused in the subdivision, but additional soil testing concluded that all testing in your residential area indicates that concentrations of arsenic are lower than the Ministry of the Environment's 25 parts per million standard.

The following information was provided to us regarding the current Ministry of the Environment standards for arsenic in soil.

The Ministry of the Environment's 25 parts per million standard was developed in a very conservative manner. The standards under this regulation have been developed to consider not only human health, but ecological receptors and in setting these limits, the Ministry has examined all the various ways humans, animals and plants can be exposed to contamination. This conservative approach ensures that these standards can be applied generically. All testing in your residential areas indicates that concentrations of arsenic are lower than the 25 parts per million standard.

In some parts of the woodlot and the trail east of Bathurst Street, testing of the topsoil has shown some areas have concentrations of arsenic in the topsoil above the Ministry of the Environment's standard. According to expert information we've received to date, **these concentrations of arsenic in the soil are low enough that exposure through typical recreational activities in these areas do not pose any immediate or short-term negative health effects.**

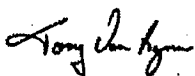
Criterion Development Corporation has expressed an interest in giving the woodlot to the Town for recreation and public use. The Town already owns the trail. It is the Town's preference to maintain the mature forested area, provided there are no public health and safety concerns. To provide us with this information and for further assurances the Town of Newmarket is taking the following action:

1. A team of independent environmental specialists, including a toxicologist and geoscientist, has been retained by the Town of Newmarket to provide advice.
2. Information acquired to date has been provided to the Medical Officer of Health's Office, and the Ministry of the Environment for their review and comment.
3. An independent toxicologist is being retained to conduct a Risk Assessment on the woodlot and trail areas. This is a comprehensive process set out by the Ministry of the Environment. This assessment will enable the Town to determine appropriate measures for the long term management of the lands to ensure continued protection of human health and the environment. We are told that this is a lengthy process that may take over a year to complete. The Town will continue to update you as information becomes available.
4. The Town of Newmarket will host a **Public Information Centre (meeting) at the Town of Newmarket Municipal Offices, 395 Mulock Drive on Tuesday, January 13, at 7 p.m.** to answer resident's questions. Representatives from the Town of Newmarket, The Medical Officer of Health's Office and the Ministry of the Environment, as well as independent environmental experts, will be in attendance.

We understand that you may have questions or concerns and we will continue to work with all stakeholders, including the developer, the consultants and environmental specialists, the Ministry of the Environment and the Medical Officer of Health to ensure we have a safe and healthy environment.

We will continue to update you, the public and media as information becomes available. If you have any questions please come to the Public Information Centre or call the Town of Newmarket at 905-895-5193. For more information on the Ministry of the Environment and arsenic please visit [www.ene.gov.on.ca](http://www.ene.gov.on.ca) or visit the Town of Newmarket's website at [www.newmarket.ca](http://www.newmarket.ca) for updates and a compilation of resources and information available on this subject.

Sincerely,



Tony Van Bynen  
Mayor

Copy: Councillor Dennis Ramsarran, Ward 6  
Encl. map