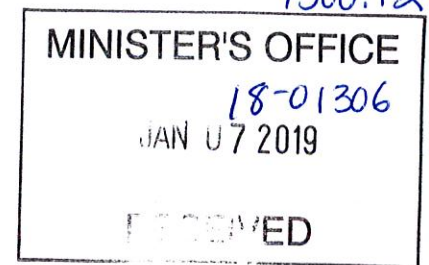


Bx 603
Fisher Branch, MB.
ROC 020



Minister of Sustainable Development
Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

Dear Minister Squires

This letter is in response to your letter of Nov 29, 2018 Appeal to Directors Order D1-2018-003.

You are asking for any documentation indicating that the former owner agreed to maintain responsibility and/or liability for the petroleum tanks in question.

I would respond to that by saying that you should be contacting the former owner, who was responsible for any possible contamination and who owns the tank for proof or documentation they they relinquished their responsibility for any liability for the tanks in question.

Again I would reiterate as I have done previously, the Dept. of Sustainable Development stated in documents sent to the previous owner that their was contamination on the property in question. So, was there any attempt/effort made at this time to make the owners who caused the problem accountable?

This property has been listed as an IMPACTED Contamination Site as opposed to just a Designated Contaminated Site.

The only site with this designation in the entire area. Why has this property been given this designation?

If this property was considered a higher risk site, again, why wouldn't there have been some urgency to have dealt with the problem at that time as opposed to now?

I have never seen any data showing any readings from the monitors that the Environmental Officer stated were on the property. Monitors that I might add we were unable to find when we searched the property at that time.

Also, how often were these monitors being observed, considering that the Environment people didn't even know they were no longer in place?

Or were they ever even there in the first place?

Why were the monitors not replaced when the Environmental people realized that they were no longer there?

Your Departments Contamination Specialist told me that as the current property owner my Company was responsible for the removal of the tanks and having an Environmental Assessment done, but not the clean up.

So my question to that is, who is actually responsible for the cleanup, if any is actually required?

And why would my Company be required to do the Environmental Assessment if it's not my Companies responsibility to clean up the property if required?

Would that not be the responsibility of the party that is required to do an / clean up required?

Why would your Department not put in monitors now to determine if there is a problem with the property?

Furthermore, does anyone really believe that I, or anyone else would have purchased a property knowing that it was contaminated and that the Department of Environment was already involved? Not likely!

Which was why the former owner never disclosed any problem and why he offered me a private deal to purchase the property and why he put the title in my Companies name within 6 months of the purchase, when the purchase wouldn't have been completed for another 3 years.

When first informed that your Department was attempting to hold me responsible for the removal of the tanks and the Environmental Assessment, there was no offer of help in any way, shape or form.

Now, you're offering to consider alternative funding, and long-term cost recovery etc.

Were any of these options offered to the former owner responsible for the problem?

And again, no mention of making the party responsible for the problem liable.

I would respectfully ask that you get the former owner to provide evidence that THEY are not financially responsible for the removal and any cleanup, seeing as they pumped the fuel, not me.

Also, I believe that all tanks have to be licensed before being placed. I would like to know who is the licensed owner of the tanks on the property in question.

Because I know that in the past, small business owners couldn't afford to buy the tanks, therefore, Oil Companies owned the tanks and business owners were required to pump that particular companies fuel.

This particular property had always operated as an Esso station.

Finally, as to the financial viability of the Company, it is not financially viable. The business has had to cease operation as of August 31, 2018 due to the fact that it has been losing money for the past several years and could not continue.

Sincerely

Ray Wright
Rivernorth Ent. Inc.

cc: Chris Baker
Ombudsmans Office