

## Groups may think twice before voicing concerns in court

*The Inverhuron District Ratepayers' Association has lost its bid to have the Supreme Court of Canada hear its appeal of earlier court rulings which denied an independent environmental assessment of an above ground storage facility for nuclear waste currently being constructed at the Western Waste Management Facility (WWMF).*

*The odds of the group getting a hearing were slim to begin with since the Supreme Court hears very few of the cases it receives applications for.*

*So the refusal of the appeal in itself isn't that unexpected, but the awarding of more punitive costs seems a little much.*

*Certainly, corporations and the federal government can't be hauled into court every time a disgruntled citizen or group has a problem with policy or procedure. However, a group living next door to the world's largest nuclear waste disposal site, that raises concerns about safety issues, especially after a regulator has suggested more public comment should be solicited, doesn't exactly fall into that slot.*

*One of the issues the IDRA hoped to raise at the Supreme Court level was the access to justice issue.*

*Given the fact the IDRA is now liable for at least \$75,000 in punitive costs with that figure almost guaranteed to rise before all is settled, it does serve as a warning to others to think twice about voicing their concerns in a legal arena.*

*Legal action is expensive, time consuming, and it can be argued weighted in favour of those with power and endless sources of money.*

*Certainly it is not weighted in the favour of small community groups who are simply looking for answers and would really rather have those answers as opposed to an expensive court case.*

*The award against the IDRA in punitive costs is a formidable amount of money and most certainly will deter others from a similar course of action. Is that as it should be?*

*It's easy to dismiss the IDRA's battles as irrelevant or insignificant. However, anyone who thinks this is simply a case where some fanatical treehuggers got carried away with a few minor undisclosed design changes in waste containers designed for one of the most deadly toxins on the face of the earth might want to ponder the future.*

*In a few years' time, there may be quite a few groups and individuals who may well want to ask questions about nuclear waste per the implications of Bill C-27. Are they too, going to have to go the route of the IDRA? M.W.*