



Alternatives North

May 13, 2013

Lynn Boettger
Regulatory Officer
Mackenzie Valley Land and Water Board
P.O. Box 2130
Yellowknife NT X1A 2P6

Dear Ms. Boettger

Re: MV2012L8-0010 Submittal Package -- Roaster Complex Deconstruction, Giant Mine

Alternatives North (AN) would like to thank the Mackenzie Valley Land and Water Board (MVLWB) for the opportunity to comment on the above package, particularly the Dust Management Plan and air quality monitoring plans. Detailed comments are found in the attached comment table but we also wish to highlight the following important issues.

Lack of Engagement in Developing Action Levels

We have major concerns and reservations with this package and the lack of engagement in developing the proposed Action Levels for PM₁₀ and arsenic. Although Alternatives North has raised concerns consistently with the lack of detail on dust management and air quality monitoring associated with the roaster complex demolition for over eight months, there was no engagement from AANDC in the development of the proposed Action Levels. We have participated in good faith in the Giant Mine Environmental Management Systems Working Group yet there was no discussion of the latest proposed Action Levels through that avenue. We recognize that AANDC views this work as a response to an emergency but engagement desperately needs to be improved, not least to ensure that communications is effective in the critical event of an emergency. We have attached a compilation of local media coverage of the recent AANDC sponsored community meetings to show the significant public concern around the Roaster Complex deconstruction and current AANDC plans.

Public Reporting

We are also concerned over the lack of detail and commitment in this package around public reporting of air quality monitoring results. As early as October 2012 we raised the desirability of public reporting of 'live' ambient air quality monitoring results (on the internet) available from the Government of the Northwest Territories, as a model for Giant Mine. While we have had

some verbal assurances that this is being considered, there is nothing in the above package that commits to this actually being done in conjunction with the roaster complex demolition nor was this mentioned at the AANDC community briefing held in Yellowknife on May 9, 2013. The same can be said of our recommendation for live webcams during the roaster complex deconstruction for viewing over the internet. In our view, such public reporting should have been included in AANDC's Community Engagement Plan for the Site Stabilization Plan.

Concerns with the Proposed Action Levels

Although we had asked for a clear rationale as to why PM₁₀ should serve as a real-time surrogate for arsenic exposure, this has not been provided in the documentation submitted. We are not sure if PM₁₀ is the best surrogate due to particle size, evidence or experience from other sites or for other reasons. There is no explanation provided as to why the years of air quality monitoring done at Giant Mine cannot provide any insights into the relationship between PM₁₀, PM_{2.5}, TSP (Total Suspended Particulates) and arsenic.

The analysis done to develop air quality Action Levels appears to us to possibly result in arsenic exposure that may not be protective of human health. A ten-year exposure period is used rather than consideration of the decades that long-time community members have resided here. Distance calculations do not recognize a closer long-term resident adjacent to the town site area, and potential sources of arsenic beyond that found in soil are not considered. The most troubling of all is the lack of analyses in the Action Levels for worst case scenarios or possible accidents or malfunctions, what steps citizens should take, or discussion of how these actions would be communicated to local residents. Several questions on the communications and public notice were raised by citizens at the May 9 community briefing and were not adequately answered. For all of these reasons, we are of the view that the precautionary principle may not have been adequately considered in the development of the Action Levels.

Other Matters

There are several key documents referred to in the package that have not been properly referenced. A number of key documents were referenced but not provided including the most recent air quality monitoring report from AANDC for Giant Mine, an Emergency Response Plan and others noted in our comment table. We believe it is essential that these documents be made publicly available as soon as possible. The lack of a site-wide air quality monitoring plan and Action Levels for other potential contaminants (e.g. Total Suspended Particulates or antimony) makes it more difficult to properly assess the package currently before the Board.

A proper adaptive management approach to setting Action Levels should be developed with meaningful stakeholder involvement.

Exceedences should be a cause for notice to the Board and the inspector, with appropriate detail on remedial measures and follow-up.

A revised Plan should also be submitted following the first construction season to ensure that lessons learned from monitoring and mitigation are applied, and meaningful community engagement is an essential part of this revision.

We are of the view that the Board should direct AANDC to revise the Dust Management Plan in particular, for resubmission before decontamination or deconstruction begins at the site. We believe appropriate revisions can be done quickly.

We look forward to the opportunity to discuss these concerns with AANDC and others, to full public reporting of ambient air quality monitoring results and more meaningful community engagement around the Giant Mine.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin O'Reilly". The signature is written in a cursive, flowing style.

Kevin O'Reilly
Alternatives North

cc. Todd Slack, Yellowknives Dene First Nation
Adrian Paradis, A/Manager, Giant Mine Team, AANDC
Ray Case, Environment and Natural Resource, GNWT
Dennis Kefalas, City of Yellowknife
Eric Binion, North Slave Metis Alliance