

Sudbury Soils Study

Public Advisory Committee's (PAC) Annual Report

Prepared by:
Ivan Filion, Chair
John Hogenbirk, Vice Chair

Reviewed and Submitted by the PAC
to the Sudbury Soils Study Technical Committee

January 20, 2004

Table of Contents

1. Background
2. Purpose of the Public Advisory Committee
3. Membership
4. Meeting Schedule and Participation
5. Summary of Themes Tabled with the PAC
6. Summary of Major PAC Recommendations
7. Self-Evaluation
8. Outstanding Issues
9. Final Thoughts

1. Background

The Ministry of the Environment and Energy summary report on metals in soil and vegetation in the Sudbury area identified that further soil investigations and assessments were necessary. As a result, the Ministry of the Environment and Energy, INCO Limited and Falconbridge Limited have cooperatively undertaken a sampling program for the Sudbury area that will refine the existing database. In addition, this database will be used as part of the information necessary to conduct a **cooperative and voluntary** Human Health Risk Assessment, and an Ecological Risk Assessment. The Ministry of the Environment and Energy, INCO, Falconbridge, the Sudbury & District Health Unit and the City of Greater Sudbury established a Soils Public Liaison Committee as one of its means of consulting with the local community and seeking technical advice prior to and during these studies.

At the October 30, 2001 Public Liaison Committee meeting it was agreed that the Study would best be served by the creation of two separate committees. Hence, a Technical Committee was established to provide the best available scientific support for the Study and a separate Public Advisory Committee was established primarily to strengthen the Study's effectiveness in consulting and communicating with the community at large.

2. Purpose

Generally the members of the Public Advisory Committee provide their comments to the Technical Committee on deliberations surrounding the activities assessing the health and environmental impacts of metals in the Sudbury environment including:

- a) the sampling and reporting of community soil metal levels;
- b) the development and implementation of community Human Health Risk Assessment/Ecological Risk Assessment studies, particularly the components of the studies that deal with public consultation and communications;
- c) the initiation of any remedial works recommended by the conclusions of the Human Health Risk Assessment/Ecological Risk Assessment studies;
- d) all associated public communication and consultation activities.

3. Membership

The Terms of Reference for the Committee calls for it to be comprised of twelve members who live in the City of Greater Sudbury community at large, including one member to represent each of the Whitefish Lake and Wahnapiatae First Nations communities. Membership is selected to best represent a cross section of the community impacted by the Study.

Committee members are selected by the Technical Committee from applications received in response to newspaper advertisements.

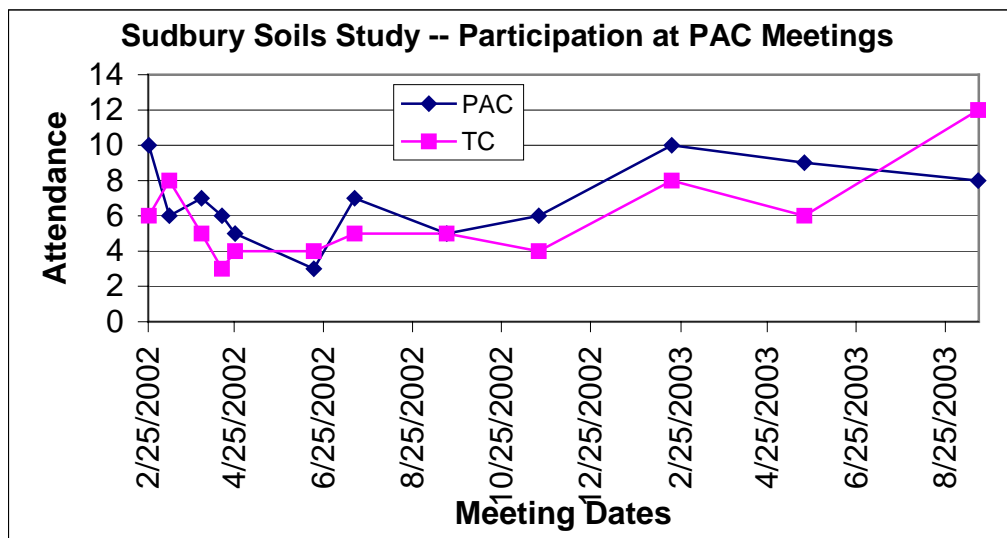
Committee members from the Whitefish Lake and Wahnapiatae First Nations are selected by the Band Councils from those communities.

4. Meeting Schedule and Participation

Twelve PAC meetings have been held since February 2002 through to the end of 2003. An additional workshop on Human Health And Ecological Risk Assessment was also held in the spring 2003. PAC members are invited and have occasionally attended Technical Committee meetings depending on the topics scheduled for discussion. The Chair of the Public Advisory Committee is a standing member of the Technical Committee.

PAC members are on the distribution list for TC minutes and agendas.

In the initial phase of the PAC, meetings were held more frequently to accelerate the PAC member's comprehension of the overall Study. Currently, meetings are scheduled bi-monthly or as required and called by the Chair.



Attendance by both PAC and TC members at PAC meetings fell in the early stages of the Study. As the role of the PAC became increasingly relevant to the Sudbury Soils Study, attendance has been steadily increasing.

5. Summary of Themes Tabled with the PAC

Topic	Group	Date
Process & Methods of the HHRA & ERA	TC, MOE	Feb. 25, 2002
	MOE	March 11, 2002
	TC, MOE	April 16, 2002
	TC	Sept. 16, 2003
Progress Report	TC	April 25, 2002
	TC	June 18, 2002
	TC	July 16, 2002
	TC	Sept. 17, 2002
	TC	Nov. 19, 2002
	SARA	Sept 16, 2003
	SARA	Nov. 18, 2003
Web Site Development	PG	Nov. 19, 2002
Process Observer's Report	PO	June 18, 2002
		July 16, 2002
		Nov. 19, 2002
		Sept. 16, 2003
Public Communications	TC	April 16, 2002
	CSC	June 18, 2002
	CSC	July 16, 2002
	TC	Sept. 17, 2002
	CSC	Sept. 16, 2003
Soils Testing Data Release Plan	MOE	Feb. 25, 2002
		April 2, 2002
		June 18, 2002
External Presentations	2 individuals	Sept. 16, 2003
	3 individuals	Nov. 18, 2003

Notes:

- TC = Technical Committee
- MOE = Ministry of the Environment and Energy
- SARA = Sudbury Area Risk Assessment Group
- CSC = Communications Sub-committee of the TC
- PO = Independent Process Observer

6. Summary of Major PAC Recommendations

Topic	Date
Translate final Study documents into French	March 11, 2002
Suggestions to improve content and functionality of the Sudbury Soils Study Web Site	Nov. 19, 2002
Broaden Distribution Network of Independent Process Observer's Report	Nov. 19, 2002
Comments on CSC's communication plan/Open Houses	June 18, 2002 July 16, 2002 Nov. 18, 2003
Ensure that data are released with the proper context	April 2, 2002 June 18, 2002
Open up the process for the Request for Proposal	April 16, 2002 April 25, 2002
Open up the process for the selection of external scientific reviewers	Nov. 18, 2003

Other Contributions

Participation at: Have your Say Workshops
 All open houses

7. Results of Self-evaluation (based on seven responses)

1. Since joining the Public Advisory Committee, I have a better understanding of the objectives of the Sudbury Soils Study. **7** yes **0** no.
2. Since joining the Public Advisory Committee, I have a better understanding of its role within the Sudbury Soils Study. **6** yes **1** no.
3. Information presented to me during meetings is relevant and understandable. **7** yes **0** no
4. Answers to my questions are clear and succinct. **7** yes **0** no
5. I am encouraged to express my personal views on information presented during meetings. **7** yes **0** no
6. The Technical Committee gives due consideration to PAC suggestions. **7** yes **0** no

7. The Sudbury Soils Study makes an adequate attempt at communicating with the community impacted by the Study. **7** yes
8. PAC meetings are well prepared and carried out in an orderly fashion. **5** yes **2** no
9. The frequency of PAC meetings is adequate. **6** yes **1** no.
10. I am generally satisfied with the progress of the Sudbury Soils Study. **6** yes **1** no.
11. I am generally satisfied with the progress of the PAC. **6** yes **1** no

Summary of Comments

1. Since joining the Public Advisory Committee, I have a better understanding of the objectives of the Sudbury Soils Study.

Comment 1: Absolutely, although I would have attended public meetings and workshops to familiarize myself with the Study, I know have the opportunity of the inside perspective. It is also helpful to have the advantage of the PAC workshops, although they do have the potential of being more constructive.

Comment 2: After one year I feel that I am still learning.

Comment 3: Very enlightening - for First Nation excellent opportunity to keep abreast of our neighbouring environmental concerns.

2. Since joining the Public Advisory Committee, I have a better understanding of its role within the Sudbury Soils Study.

Comment 1: Unfortunately, I have several issues that cause confusion in understanding the role that the PAC has within the SSS. Although I had joined the PAC late, I believe it may be helpful if the Chair repeated or recited the PAC mission statement at the beginning of every meeting. This may facilitate process and help eliminate the unnecessary and irrelevant commentary that seem to hinder progress, waste valuable time and frustrate/segregate PAC members. In fact, there seems to me to be so much irrelevant interjection during the meetings, that I have become confused in understanding the PAC objectives. This is not social hour. That is best left to the time reserved prior to the meeting.

Comment 2: I would very much like to attend a TC meeting in order to better understand the various processes.

Comment 3: The role is not easily articulated nor understood by all involved. In particular, it is not clear that the public understands or appreciates our role. It may be necessary to encourage the formation of a separate body that is prepared to critique the Study on a scientific basis. In my opinion, some (many?) members of the public think that it is the role of the PAC to provide such a scientific critique. Clearly it is not the PAC's job, but it should be someone's job. Ideally, it should be someone or some group at arms length to the process. Despite any assertion to the professionalism of those involved, it is the perception of collusion that requires independent scientific oversight.

Comment 4: As First Nation people we have some concerns and issues of environmental impacts to the air, water and land.

3. Information presented to me during meetings is relevant and understandable.

Comment 1: Although I agree with the statement presented above, there are many, many occasions where there may be questions raised regarding the information presented, but due to the time constraints that arise from irrelevant commentary, people may be hindered in pursuing answers. Lets try to stay focused on our objectives and topics and refrain from unnecessary forays into personal agendas or experiences.

Comment 2: To the extent that I understand the role of each constituency.

Comment 3: Very educational for myself. Good for my growth in learning all aspects of that area that is talked about at the tables of government and industry working together for better care to environment of the land base.

Comment 4: For the most part.

Comment 5: Being informed is essential to doing a good job as a PAC.

4. Answers to my questions are clear and succinct.

Comment 1: Again, I reiterate the fact that many times I may have a question, but I hesitate to pursue it in fear that it may lead to an hour spin off debate that seems to be outside of the PAC guidelines. When questions have been put forth, I have always been quite satisfied with the answer provided.

Comment 2: For the most part.

5. I am encouraged to express my personal views on information presented during meetings.

Comment 1: Too much so I fear. Again, the PAC has a very specific role to play in the SSS. Hour long personal views about irrelevant experiences and situations should not be allowed into the meeting agenda. Let us stick to our mission statement (if there is one).

Comment 2: However, at times I am reluctant to do so, as it may unduly prolong a meeting where there have been extended discussions by some members that reduce the efficiency of the time spent. Perhaps some of these discussions could be handled more efficiently through direct communication with the TC or pertinent parties.

Comment 3: This takes time for me but have grown to learn and listen. Due to my limited involvement under my role as First Nation staff, my personal view needs to be limited.

6. The Technical Committee gives due consideration to PAC suggestions.

Comment 1: The TC minutes provide help in following the course and outcomes of suggestions put forth by the PAC. As well, during meetings, the TC seems to give due consideration to PAC suggestions and follow through with appropriate actions.

Comment 2: Not having attended at TC meeting, it is difficult for me to assess the consideration give to PAC suggestions.

Comment 3: For the most part. Yet it is not always easy to tell if the TC has followed the PAC recommendations, or if not then, why not. My concern here is that even if an issue is raised by the PAC, the TC is not obligated to accept our recommendation (as is their right as the decision-making body). In order to avoid any unwarranted backlash from the public that the PAC is not doing it's (limited) job, I would like to see the PAC minutes highlight any issues or concerns raised by the PAC and then use these minutes in the next meeting to determine what action, if any, was taken by the TC.

Comment 4: Yes, excellent in this manner.

Comment 5: I would say they always listen.

7. The Sudbury Soils Study makes an adequate attempt at communicating with the community impacted by the Study.

Comment 1: Although I haven't attended any of the public workshops, I have heard from several people who have, and all seemed to walk away with a better understanding of the SSS objectives. As well, the advertisements and publications all end up coming right to my door through the various publications received. Public Service Announcements (PSA's) on radio would be one other avenue that I have yet to hear personally.

Comment 2: This has been well covered. It is impossible to please everyone and there will always be those who will critique the process.

Comment 3: First Nation presentation. The involvement of informing our First Nation is very good.

Comment 4: Every possible venue.

8. PAC meetings are well prepared and carried out in an orderly fashion.

Comment 1: Yes and no. I am always impressed with the preparation that goes into the meetings, and it shows. Information is always present, questions are always answered, the agenda is well prepared and circulated appropriately. The issue is not preparation, but the flow of the meeting and the continual pursuit of personal interjection that is neither relevant, appropriate or within the scope of the PAC. Possibly a time constraint should utilize the interjection from the Chair if the meeting or topic is clearly outside the PAC agenda.

Comment 2: Generally yes, however, I have felt that there are times when discussions need to remain focused on the issue at hand.

Comment 3: I learn from this format for my line of work at the First Nation.

Comment 4: Most times.

9. The frequency of PAC meetings is adequate.

Comment 1: Once every two months is fine. When topics become too technical or an information session is required, additional meetings do not seem to be too onerous on participants.

Comment 2: I would not be opposed to the occasional, additional meeting if required.

Comment 3: The PAC was never meant to be a scientific oversight committee, nor in my opinion, a process-oversight committee, but a sounding board for the TC. Thus a meeting every two months should suffice, with the option of "emergency" meetings at the discretion of the Chair as per the PAC terms of reference.

Comment 4: May be a need for more meetings for the next fiscal year.

Comment 5: There is a gap between meetings, but I don't know where time would allow more.

Comment 6: But it may be necessary to have more meetings as the Study progresses.

10. I am generally satisfied with the progress of the Sudbury Soils Study.

Comment 1: Speaking from a PAC perspective, yes. I cannot comment on how well it is advancing technically or within the prescribed timelines. The information that flows through PAC and eventually to the public seems to receive positive feedback and good understanding from the layman. Again, I think this question is inappropriate because I believe that we are not on the PAC to comment on the progress of the SSS. From my understanding, that is the task set forth by the TC. It is the PAC responsibility to provide advice on the public perspective of the SSS and comment on the reports and publications provided to the public.

Comment 2: I am wondering if we are putting enough time and resources into the human health risk component.

Comment 3: Satisfied – Yes, but I still have concerns because the early stages are the most uncertain and most important for the success of the Study. I am also concerned because the "success" of the Study may be defined differently by different participants.

Comment 4: Overall I enjoy and learn from being a part of this Committee.

11. I am generally satisfied with the progress of the PAC.

Comment 1: I can understand the frustration of the PAC members who have resigned. The task at hand is a difficult one, time required to attend the meetings is precious to all, the commitment is one that many people will find overwhelming. That is why I find it so frustrating to see time wasted on topics that are out of line with the PAC objectives. The constant interjection of personal experiences, agendas and self-directed topics has muddled my understanding of the PAC objectives. I believe that at the core of it all, we are doing a good job, but it is necessary to remove the frustrating fluff that arises, they seem to

dominate every session I've attended. I would like to see us move forward within our objectives and continue to provide the service asked of us. No more, or less.

Comment 2: But I am disappointed in the recent resignation of a PAC member. It is unfortunate and somewhat discouraging to lose members who have invested considerable time and commitment to this process only to have them resign before the task is completed. Please see my comments in Question 5 and 8.

Comment 3: The PAC is at a crucial period because, in my opinion, public perception of the PAC's mandate is something different than what is in the terms of reference. This is also occasionally true for the TC's and the Sara Group's perception of the role of the PAC and perhaps the perception of the Process Observer.

Comment 4: Yes. Excellent process.

Comment 5: More members are needed.

8. Outstanding Issues

There are currently two outstanding issues for the PAC to address:

The Role of the PAC

A few members of the public have suggested that the PAC should be more independent of the Technical Committee and act more as a technical watchdog to both the human health and ecological risk assessments. Since this role is significantly different than the one initially established for the PAC, the Committee will reflect upon this idea when it reviews its Terms of Reference early in 2004.

Membership of the PAC

The United Steelworkers of America have requested membership to the PAC as an *organization*. Currently, there are no organizations sitting on the PAC, as membership to the PAC was designed to select individuals that best represent a cross-section of public or the community-at-large. Again, the PAC will review its selection criteria the next time it reviews its Terms of Reference.

9. Final Thoughts

Progress has been made towards the timely and scientifically sound completion of the Sudbury Soils Study, and the PAC has played its role in providing feedback to the TC. The PAC has sought to provide an informed lay-person's opinion as to how information should be communicated to the public. More recently it has begun to act as a conduit for public queries to the TC and to the Study as a whole. After about two years of fulfilling its original Terms of Reference, the PAC comes to an important time in its operation as the PAC responds to requests to broaden or change its mandate. As the new year begins, PAC members continue to welcome the challenges of their voluntary participation in this cooperative and voluntary Human Health Risk Assessment and Ecological Risk Assessment.