

Sudbury Soils Study

Public Advisory Committee's (PAC) 2004 Annual Report

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

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Preamble

This document reports on the activities of the Public Advisory Committee (PAC) for the 2004 calendar year. Earlier versions of this document were circulated to the Technical Committee and to the SARA Group for comments on factual accuracy and other feedback. The final version of this report was endorsed by the PAC at the June 21, 2005 meeting and represents the opinions of the PAC.

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 has 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. Purpose¹

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 a maximum 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 a joint committee of the PAC and the Technical Committee. The joint committee consists of two members of the Technical Committee's Working Group and two members of the PAC (typically the PAC Chair and Vice Chair or their designates). The joint committee shall review the applications and circulate the names of all applicants to the PAC for

¹ Extracted from the PAC's Terms of Reference, dated October 14, 2004

feedback. The list includes those who have been selected for interview and shall include their resumes. After the interviews, the joint committee shall circulate to the PAC a list of individuals who have been nominated for PAC membership. The list of nominees is circulated to the PAC at least one week prior to the next PAC meeting. A quorum of the PAC shall reach consensus as to whether or not to accept the nominations.

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

4. *Meeting Schedule and Participation*

It was decided that PAC meetings would be rotated around the City of Greater Sudbury area enabling citizens' access to meetings in their Wards. Meetings have been held in Copper Cliff (Ward 1), Azilda (Ward 2), Cambrian College (Ward 4), Science North (Ward 5) and Minnow Lake (Ward 6). It is the intent of the PAC to hold a meeting in Ward 3 in 2005.

- PAC meetings are held every two months, with working committee sessions convened as required.
- PAC members are invited and regularly attend Technical Committee Meetings. The Chair of the Public Advisory Committee has observer status at Technical Committee meetings.
- PAC members are on the distribution list for TC minutes and agendas.
- There were 6 meetings in 2004, with an average attendance of 73% of PAC members.
- Attendance has been increasing as the study has reached the critical stages.
- The PAC added three new members in 2004.
- The majority of the TC Working Group has been in attendance at PAC meetings.
- Most PAC meetings have been attended by representatives from the SARA Group.
- There have been up to a half-dozen members of the public at each PAC meeting.

5. *Summary of Themes Tabled with the PAC*

Topic	Group	Date
Process and Methods of the HHRA & ERA	SARA	March 16, 2004
	SARA	September 21, 2004
Progress Report	TC	January 20, 2004
	TC	March 16, 2004
	SARA	January 20, 2004
	SARA	March 16, 2004
	SARA	May 18, 2004
	SARA	June 22, 2004
	SARA	November 9, 2004
Telephone Poll	CSC	December, 2004
Process Observer's Report	PO	Winter 2004
	PO	Spring 2004
	PO	Fall 2004
Public Communications	SARA	September 21, 2004
Soil Testing Data Release Plan	TC	June 22, 2004
Independent Expert Review Panel	WG	June 22, 2004
	WG	November 9, 2004
	WG	September 21, 2004
Special Presentations	R. Brecher	January 20, 2004
	S. Swanson	November 9, 2004
Presentations/questions from members of public – at all meetings		

Notes:

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

6. *Summary of Major PAC Recommendations*

Topic	Date
Communication of reasons for discrepancies in lab test results.	January 20, 2004
Rotate PAC meetings in City wards.	March 16, 2004
More autonomy from the TC in the selection of new members and re-appointment of current PAC members	March 16, May 18, 2004
Indoor air quality needs careful consideration.	May 18, 2004
Speciation studies are necessary in some instances.	May 18, 2004
Communications should continue to address public concerns in a respectful manner.	May 18, 2004
Clarify position on scientific reviewers.	June 22, 2004
Clarify policy on early release of data.	June 22, 2004
Technical Committee meetings should be held in the evening if possible so the public can attend.	November 9, 2004
Guidelines for public presentations at PAC meetings.	September 21, 2004
More involvement in review of TC material prior to public release.	On-going
More input in review of communications prior to public release.	On-going

It speaks to the good working relationship that the PAC enjoys with the TC and the SARA Group, that all of the PAC's recommendations have been considered and, for the most part, addressed by the TC and the SARA Group.

7. *Participation in IERP Joint Committee*

The Chair and Vice-Chair served as observers during the process that was used to select the independent agency that would, in turn, select members of the Independent Expert Review Panel (IERP). PAC members added their voices to those who were advocating for an open and transparent process. The process started in January 2004, with a call for a letter of intent (response due June 2004) sent to five organizations² with the potential to organize and administer an IERP. Three organizations³ responded to this request and all three were invited to submit a formal proposal, which was due in November 2004. The TC chose one of the three final candidate organizations to organize and administer the IERP. The PAC as a whole continues to advocate for transparency in the process: from the LOI to the RFP to the charge to the panel and the selection of panel members. The PAC is encouraged by the level of support from the TC in ensuring that the IEPR is above reproach.

8. *Telephone Poll*

At the request of the PAC (a request made in 2003), a telephone poll was conducted in September 2004 to gauge the public's awareness of the Sudbury Soil Study. A survey of 606 respondents was taken using a stratified random sample. Almost one-third (32%, 194 respondents) of those surveyed had heard of the study. The vast majority (83%, 161 of 194

² The five organizations were: American Institute for Biological Sciences, Harvard Centre for Risk Analyses, International Life Sciences Institute, Royal Society of Canada and Toxicology Excellence for Risk Assessment.

³ Proposals were received from: International Life Sciences Institute, Royal Society of Canada and Toxicology Excellence for Risk Assessment.

respondents) of those who knew about the study were able to identify the main intent of the study, namely to “determine if metals in Sudbury soil could affect people and the environment.” The current level of public awareness may reflect the stage of the study (mid-way through the study) and may reflect the fact that a certain portion of the public (24% of respondents) may have little interest to no interest in the study. The PAC supports the recommendation of the Communications Sub-Committee that urges a multi-faceted approach: Personal contacts with local interest groups and key community leaders; Increase MCTV and Channel 10 television news coverage; Utilize public service announcements Community Television network for SSS news updates; Develop information workshops for senior students and prepare teacher’s packages for 05/06; Presentations to Lions Club, Chamber of Commerce, Politicians, etc.; Pre-advertise presentations at PAC meetings; INCO President’s Breakfast; CIM Conference; Op-ed pieces monthly; and so forth.

9. *Results of Self-evaluation*

In 2004 the PAC has changed its Terms of Reference to reflect its independence of the Technical Committee. The selection criterion for adding new members and re-appointing current members has been modified to reflect this independence. The PAC continues to evolve within its mandate to represent a cross section of the City of Greater Sudbury and surrounding communities.

The PAC held a series of get-togethers early in 2005 to discuss our contributions in the past year (2004) and to plan how the PAC could improve over the next year or so, as the study draws to a close. Key recommendations of this self-evaluation include:

- Improving our value to the process by helping the TC in communicating their roles, data and studies to the public.
- Improving our ability to convey the questions and concerns of the public to the TC.
- Understanding and responding to public expectations.
- Improving the working relationship within PAC: sharing responsibilities, advancing communications, obtaining a better understanding of roles.

The PAC will be working with the TC and the SARA Group to implement these key recommendations in 2005 and beyond.

10. *Outstanding Issues*

The PAC has identified a number of issues that need to be clarified or resolved more fully in 2005. These include:

- Clarifying the roles of study participants to the public: What are the roles and responsibilities of the TC, the Working Group, the SARA Group, the scientific advisors, and the independent expert review panel?
- What questions will be answered with regard to human and ecological risk?
- What is the timeline for completion of the study?
- What will happen after the final report is submitted?

11. Concluding Remarks

The Public Advisory Committee works to facilitate meaningful, 2-way communication between the people of the study area and the study principals, namely the Technical Committee and the SARA Group. As residents of the study area, members of the PAC are keen to do their part to ensure the success of the study. As the study nears fruition, the PAC will continue to build on the strong professional relationship that they have with the TC and the SARA Group to help keep the lines of communication open and meaningful.

12. Acknowledgements

The PAC would like to thank those members who served their two-year term and those who continue to serve on this voluntary committee. We appreciate the time and effort put forth by the Technical Committee, the SARA Group and various experts. The PAC appreciates the support and advice of Franco Mariotti, Independent Process Observer. We thank the members of the public for attending PAC meetings and Open Houses, and for contributing to the discussion. The PAC would like to thank the communities who hosted our meetings as we traveled to different Wards within the City of Greater Sudbury. We thank Julie Sabourin for her administrative support.