

Sudbury Soils Study

Public Advisory Committee (PAC) Annual Report for 2007

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Reviewed by the PAC
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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 2007 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 formally endorsed by the PAC in August 2008 and represents the opinions of the PAC.

Acronyms & Abbreviations:¹

CSC	Communications Sub-committee
ERA	Ecological Risk Assessment
FNIHB	First Nations and Inuit Health Branch, Health Canada
HHRA	Human Health Risk Assessment
IERP	Independent Expert Review Panel
IPO	Independent Process Observer
MOE	Ministry of the Environment
PAC	Public Advisory Committee
SARA	Sudbury Area Risk Assessment Group – SARA is the consortium of consultants who conducted the HHRA and ERA studies.
TC	Technical Committee is responsible for overseeing the study. Members include: the Sudbury & District Health Unit, Ontario Ministry of Environment, City of Greater Sudbury, Vale Inco (formerly Inco Limited), Xstrata Nickel (formerly Falconbridge Limited), and First Nations and Inuit Health Branch of Health Canada.
TERA	Toxicology Excellence For Risk Assessment (www.tera.org) - TERA is the not-for-profit company that was responsible for selecting the international experts who conducted the peer-review of the HHRA and ERA studies.
WG	Working Group of the Technical Committee

¹ Please visit the web site for more information about these terms (www.sudburysoilsstudy.com)

1. Background

The Ministry of the Environment summary report² on metals in soil and vegetation in the Sudbury area identified that further soil investigations and risk assessments were necessary. As a result, the Ministry of the Environment, Vale Inco (formerly CVRD Inco, which was formerly Inco Limited) and Xstrata Nickel (formerly 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 Ecological Risk Assessment. The Ministry of the Environment, Vale Inco, Xstrata Nickel, 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. Purpose³

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.
- The PAC will be maintained at least until such time as the Human Health Risk Assessment and Ecological Risk Assessment are completed and distributed to the public.
 - The PAC is not responsible for the scientific or technical review of the study.
 - In addition, the PAC will provide opportunities for members of the public to express their concerns or to ask questions about any aspect of the Sudbury Soils Study.

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

² Metals in Soil and Vegetation in the Sudbury Area (Survey 2000 and Additional Historic Data) September 2001, Ontario Ministry of the Environment

³ Extracted from the PAC's Terms of Reference, dated August 2008

4. *Meeting Schedule and Participation*

- The PAC held four public meetings in 2007: all meetings were held at Tom Davies Square. There was an average attendance of 67% of PAC members at PAC meetings.
- There were 4-9 members of the public at each PAC meeting.
- The majority of TC Working Group members have been in attendance at PAC meetings.
- Representatives from the SARA Group presented at one PAC meeting.
- Two other scheduled PAC meetings were cancelled: one due to summer vacations and the second at the request of the CSC and TC so as to free up time for a proposed release of HHRA results.
- PAC membership in 2007 was increased to twelve by the addition of Adam Cecchetto and Paula Takats, both voted to the PAC at the March 27, 2007 PAC meeting. Members in 2007 included:
 - John C. Hogenbirk, Chair
 - Gary Hrytsak, Vice-Chair
 - Ersin Abdullah
 - Darrel Alston (Wahnapiatae First Nation)
 - Nicole Breau
 - Dick Cowan
 - Adam Cecchetto
 - Aino Laamanen
 - Rubina Nebenionquit*(Whitefish Lake FN)
 - Bob Somek
 - Paula Takats
 - Carol Zippel

*R. Nebenionquit left the position (January 2007) with a replacement to be determined.

- The PAC convened three working committee session to discuss administrative matters. The Independent Process Observer attended two of three sessions.
- PAC, TC, SARA and the IPO frequently communicate by email or phone.
- PAC members regularly attend Technical Committee Meetings. The Chair of the Public Advisory Committee has observer status at Technical Committee meetings and receives the full TC minutes. There were typically two PAC members (including the Chair) at the four TC meetings held in 2007.
- PAC members receive TC meeting agendas and Key Progress & Decision Summaries.
- A PAC observer sits on the Communications Sub-Committee and attended seven meetings.
- The PAC Chair was invited to two workshop sessions during which TC members and SARA Group scientists discussed the methods and results of the HHRA.
- Four members of the PAC attended the Public Briefing Session on the IERP for the ERA (March 5, College Boreal).
- Two members of the PAC attended the full two-day IERP Session on the ERA (March 6-7). The IPO, members of the TC, consultants to the TC and the SARA Group were in attendance at this session, which, with the exception of the PAC and IPO, was closed to the public.
- Three members of the PAC attended the Mining and the Environment IV, Conference in Sudbury (October 19-26) and participated in a risk management workshop.
- Eight members of the PAC attended a Working Group meeting on October 17th that featured a rehearsal of the HHRA Community Information presentations. PAC members provided suggestions on content and presentation-format to the TC and SARA Group.

5. *Summary of Themes Tabled with the PAC*

Topic	Group	Meeting Date
Progress Report/Update on HHRA or ERA.	WG	Jan. 16
	WG	Mar. 27
	WG	May 15
	WG	Sep. 25
Special Presentations:		
Communication Plans for the release of the HHRA results.	CSC	Mar. 27
MOE's regulatory role in the HHRA and ERA.	MOE	Mar. 27
Dissolution of the PAC once HHRA and ERA are complete.	WG	Mar. 27
New role of companies and regulatory agencies in risk management. Public participation in risk management.	WG	Mar. 27
Summary of May 2 nd Special TC Workshop.	WG	May 15
Synopsis of the March 6-7 Independent Expert Review Panel findings on the ERA.	SARA	May 15
Affirmation of Xstrata Nickel's intent to support the study and its commitment to conduct their "business in a manner that is beneficial to both the company and to the community". ⁴	Xstrata Nickel	Jan. 16
Affirmation of Vale Inco "long-held commitment to environmental stewardship, to the Sudbury community and to this study..." ⁵	Vale Inco	Jan. 16 Mar. 27
TC Key Progress and Decision Summaries.	TC	Tabled at all meetings
Questions and concerns voiced by members of public.	Solicited from members of the public in attendance at all meetings	

⁴ The full letter was read at the November 21, 2006 PAC meeting and became part of the public record, January 2007.

⁵ The full letter was read at the January 16, 2007 PAC meeting and became part of the public record, March 2007.

6. *Summary of Major PAC Recommendations*

Topic	Meeting Date
Written request to First Nations and Inuit Health Branch (FNIHB) of Health Canada asking FNIHB to clarify their role and responsibilities on the TC.	Jan. 16
Written request to MOE to clarify their regulatory role in the HHRA and ERA.	Jan. 16
Renewed offer of assistance of PAC members to provide feedback on any communication tool and the Plain Language Summary report issued during the release of the HHRA and ERA results.	Sept. 25
Assistance of PAC members to provide feedback to the Communications Plan for the release of the HHRA and ERA.	Sept. 25
Recommendations of speakers and topics to be presented at the Community Information sessions: overview of the peer-review process; presence of Drs. Brecher and Swanson; and TERA representative.	Sept. 25
The PAC and Union observers provided feedback on the context and format of the presentations at a rehearsal of the HHRA information session presentations.	Oct. 17
Recommendations on the wording and format of the HHRA Summary Report and Executive Summary Volume II HHRA.	Oct. 31
Clarity needed from TC on the eventual dissolution of the TC & PAC.	On-going
Need for regular update of website and eventual survival of website material when Risk Assessments end.	On-going
IPO reports to be tabled at PAC meetings for information.	On-going
Need to specify where the data will be stored after the study is completed.	On-going
Need for the companies to continue to communicate with the public on recent and planned environmental improvements at Vale Inco and Xstrata Nickel. And the need to continue the dialogue between communities and companies.	On-going
Need for regular feedback on the type of questions from the public received by the SARA Group through email, the website and by phone.	On-going
Continued support for public open houses in the major communities to coincide with the release of the penultimate HHRA and ERA reports.	On-going
Re-iteration of the need for an adequate and meaningful opportunity for the public to comment on the HHRA and ERA reports before they are made final.	On-going
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 continues to speak 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. *Concluding Remarks*

The Public Advisory Committee works to facilitate meaningful, two-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, the volunteer members of the PAC are eager to do their part to ensure the success of the study. As the study nears completion, 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. In particular, the PAC will continue to work on the following issues:

- Help to clarify the roles of study participants to the public: For example: What are the roles and responsibilities of the PAC, the TC, the Working Group, the SARA Group, the scientific advisors, TERA and the independent expert review panel?
- Seek to understand public expectations and help to convey the questions and concerns of the public to the TC.
- Help to clarify the nature and process of the study. For instance: What questions will be answered with regard to human and ecological risk? What will happen after the final report is submitted?

8. *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 other 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 Toxicology Excellence for Risk Assessment (TERA) for their professionalism in convening the international experts and conducting the HHRA and ERA peer-review. We thank Julie Sabourin for her administrative support.