



**Sudbury
Soils
Study**

**Étude
des sols
sudburois**

metals • health • environment
métaux • santé • environnement

INDEPENDENT PROCESS OBSERVER REPORT No. 4

Spring 2003

The Process Observer, independent of any organization or group involved in the Sudbury Soils Study, is impartial, and advises on matters related to the Human Health Risk Assessment and the Ecological Risk Assessment, as managed by the Study's Technical Committee with input from the Public Advisory Committee.

*As the Observer, **Franco Mariotti** is required to report to the public four times a year on the study process. This is his third report. For information about the Sudbury Soils Study, please go to the last page.*

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Background to the Sudbury Soils Study

It has been one year and three months since I assumed the role of Process Observer; this is my fourth report for the Sudbury Soils Study.

The Sudbury Soils Study is a fair and open process. Through a Human Health Risk Assessment and an Ecological Risk Assessment, the study will reveal to Sudburians whether metals in Sudbury's soils are posing a health risk to humans and the natural environment. For those who may not be familiar with my role, I act as an independent observer, free from influence of either Technical Committee (TC) members or Public Advisory Committee (PAC) members.

I observe and make comments to members of the TC and the PAC that may lead to improvements in this process. My purpose is to comment on the process of the Sudbury Soils Study - not on its results.

My perspective is that of an individual representing the public and the natural environment. This perception is based on the premise that a healthy environment leads to a healthy population. For the complete Terms of Reference for my role as Process Observer, see the attached Appendix A.

Some of you may know me through my work at Science North. It is very important to understand that any comments I make on the Sudbury Soils Study are my own and in no way should they be associated with Science North.

In the first year, my Process Observer's Report for the Sudbury Soils Study served as a newsletter (none existed at that time) and a commentary on the process. Since January of this year, the SARA Group (consultants hired to conduct the Sudbury Soils Study) has begun the Human Health Risk Assessment and the Ecological Risk Assessment. One of their objectives is to develop and carry out a communication plan, which includes a newsletter, (the first of which is included with this report) to update the community on what is happening with the study. To this end and to avoid duplication, my Process Observer's Report will focus less as a newsletter and become primarily a report commenting on the Sudbury Soils Study process.

My comments thus far on the Sudbury Soils Study process follow.

Update

1. Public Advisory Committee (PAC) Meetings

The majority of PAC members attended the quarterly PAC meeting in February. In fact, eight out of 12 members were present, the highest attendance to date. Numerous members of the public and some media representatives were also in attendance.

It is encouraging to see that members of the public are beginning to take notice of the Sudbury Soils Study (SSS) and are showing interest. Given that members of the public are invited as observers and are not permitted to actively participate during the meeting, I would suggest to the PAC that the Chair entertain questions from the public when the formal meeting ends.

Chris Wren, Project Leader for the SARA Group, was also in attendance at the February meeting. He provided an update on the goals and objectives of the project as well as on the progress being made. The SARA Group's presence and update at each PAC meeting is a very important part of the Study and ensures an open process.

One issue of continuing concern to me is the fact that PAC meetings are held quarterly while TC meetings take place on a monthly basis. I attend both meetings, and have noted that issues raised, discussed, or decided on at the TC meetings often cannot be forwarded for input from the PAC at PAC meetings because doing so would delay the process, given the fact that the PAC meets much less frequently.

The PAC Terms of Reference state that:

"The PAC has been established to advise, by providing comments and input to the Technical Committee...."

The PAC advisory role to the TC is not, in my opinion, being achieved! As I mentioned above, I believe this is due to the fact that PAC meetings occur less frequently than TC meetings. I have witnessed that rather than being asked for and providing input, the PAC has become a listening body that is updated on events. I am certain that the PAC has not purposely been relegated to this role, but rather it has slowly evolved to this state in the months that both committees have been working together. The reality now is that this has to be corrected.

One of the options would be for the PAC to meet more frequently; i.e. a monthly PAC meeting following a TC meeting, so that the PAC could provide comments and input on TC decisions. Another option is to call special PAC meetings when important decisions are made at the TC level. The issue of the timing of PAC meetings needs to be discussed by the PAC at a future meeting.

The public is invited to attend the next PAC meeting on **May 20th at 7 p.m.** at Cambrian College.

2. Peer Review

Scientific peer review of this project has been an issue from the very onset of this study. Although the TC has had many discussions about appointing a peer reviewer, progress has been slow.

In early April of this year, Terms of Reference for a Risk Assessment Advisor were established. Essentially a Risk Assessment Advisor is a Peer Reviewer. His/her role would be to provide input to the TC throughout the entire period of the HHRA and ERA activities.

The proposal will go out for tender in May/June. In my next Process Observer's Report, I will provide an update on the person chosen and the specific role that person will assume.

It is important to note that the Risk Assessment Advisor is just one element of peer review. The TC also recognizes that an international team of peer reviewers, not directly involved with this study, should review the scientific content of the final HHRA and ERA report. I would suggest that the Terms of Reference for this Peer Review Committee be completed by the end of this year. This will assure a timely search for its members and their initiation to the Sudbury Soils Study.

3. Increasing Communication to the Public

The SARA Group has initiated several activities that will provide more information to the public about the process and progress of the HHRA and ERA.

- The first newsletter called "*Update*" is included in this mailing. "*Update*" is a quarterly newsletter that will be published simultaneously with the Process Observer's Report. My compliments to the SARA Group for producing a colourful and well-written first edition.
- A brochure on the Sudbury Soils Study intended for the general public has been drafted. It is expected that it will be widely circulated in June of this year.
- The SARA Group will update the Sudbury Soils Study website on a continuous basis.
- Sessions inviting public input have been planned in three communities. These workshops are called "*Have Your Say*" and I encourage members of the public to attend any one of the following sessions:

Copper Cliff	Tues., May 13th	6 p.m. to 9 p.m.	Italian Club
Falconbridge	Wed., May 14th	6 p.m. to 9 p.m.	Royal Canadian Legion
Coniston	Thurs., May 15th	6 p.m. to 9 p.m.	Club Allegri

- A Public Open House is scheduled for **Wednesday, June 11th, from 3 p.m. to 9 p.m.** at the **INCO Cavern at Science North**. The purpose of this gathering is to inform the public on the progress to date of the HHRA and ERA.
- The Communications Sub-Committee, which involves members of the SARA Group, has sent draft press releases to the PAC asking for their input. This is an important step in the Study that leads to a fair and open process.

All of the above actions are timely and ongoing and are essential steps in keeping the public up-to-date on what is happening with the Sudbury Soils Study.

4. Communication between the SARA Group and the TC

Members of the SARA Group attend monthly TC meetings and have provided a regular report as part of the agenda. Thus far there appears to be excellent communication between the SARA Group and members of the TC.

5. Status of the Environmental Data Bank

It was noted in my last Process Observer's Report that the Centre for Environmental Monitoring at Laurentian University would eventually house all data from the Study. This proposal was made last September, and was approved in principle by the TC with the understanding that further information would be forthcoming to them. To date, no new information has been passed on to the TC regarding this matter.

Knowing how this valuable information will be stored and accessed by other scientists and future studies is extremely important. We anticipate that the general public will want to access some of this data, and it remains a mystery how this can be achieved through the University system. Since there will be 'bugs' in the system that need to be worked out, this is an issue that needs to be assessed with some urgency. Details need to be discussed further and it should happen sooner rather than later.

6. SARA Group Hires Local Biologist

Ms. Jan Linguist, a long-time Sudburian and local biologist, has been retained by the SARA Group to help with the HHRA and the ERA studies. Jan has had many years of experience working for the Ministry of the Environment, and in the last few years working as an environmental consultant. Her local knowledge and experience will be a valuable asset to the study team.

7. Proposed Project Timetable

May to July, 2003

Monthly Technical Committee Meetings	May, June, July
Monthly Progress Reports	May, June, July
Planning for Vegetable Garden Survey	April
Meetings with Communications Sub-committee	As required
Meetings with Public Advisory Committee	May
Workshops for VEC (Valued Ecosystem Components) Selection	May
Planning for Market Basket Survey	May
Proposed Ministry of Environment Release of Urban Soils Data	June
Public Open House	June

August to October 2003

Appendix A

Process Observer - Roles and Responsibilities

February 11, 2002

Background

The Ministry of the Environment (MOE) 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 MOE, Inco Ltd. and Falconbridge Ltd. have cooperatively undertaken a sampling program for the Sudbury area that will refine the existing database. In addition, this database will be used to as part of the information necessary to conduct a Human Health Risk Assessment (HHRA), and an Ecological Risk Assessment (ERA). The MOE, along with Inco and Falconbridge, established a Technical Committee (TC) and a Public Advisory Committee (PAC). The TC has been established to provide technical guidance in carrying out the HHRA/ERA and any associated studies. The TC will also review and consider input from the PAC. The purpose of the PAC is to advise, by providing comment and input, to the TC on decisions relating to activities assessing the health and environmental impacts of metals in the Sudbury environment. The PAC will also act to communicate to the residents of the City of Greater Sudbury on progress as well as issues and concerns that they identify.

In order that the interests of the Sudbury community are served throughout the development of the HHRA/ERA, the stakeholders wish to retain a Process Observer. The purpose of the Process Observer is to oversee and report on the process used to conduct the HHRA and ERA to ensure that it is transparent to the community and that communication with the public is timely and effective.

The Process Observer will:

- Act as an impartial observer and recorder of the process.
- Be independent of any bureaucracy.
- Maintain the right to review information and files such as minutes of meetings, terms of reference, proposals, draft reports, and final reports pertaining to the HHRA/ERA process.
- Act as an observer and where necessary as a facilitator to ensure that proper practice is followed with the Technical Committee (TC) and Public Advisory Committee (PAC).

- Receive comment/input/complaints from the public on matters relating to process and responds appropriately.
- Point out and suggest remedies for inconsistencies in procedures in consultation with committee members.
- Recommend process improvements to the Technical Committee and Public Advisory Committee to ensure effective and timely completion of work assignments, investigations, studies, and reporting.
- Suggest opportunities to improve the process for a more effective outcome for all parties.
- Prepare a quarterly written report on the overall progress and direction of the work of the committees for dissemination to the public.
- Encourage teamwork through consultation and communication.

Terms of Agreement

An honorarium (\$10K per year) will be provided by Inco Limited and Falconbridge Limited to the Process Observer that will be administered through a third party. It is expected that the incumbent will continue the role of Process Observer throughout the length of the project upon mutual agreement of performance functions.

Costs incurred by the Process Observer in the fulfillment of the above mentioned tasks will be budgeted for and provided by Inco Limited and Falconbridge Limited.

Members of the Sudbury Soils Study Technical Committee

City of Greater Sudbury

Bill Lautenbach, Director, Planning Services
Dr. Stephen Monet, Coordinator of Environmental Initiatives

Falconbridge Limited.

Marc Butler, Environmental Coordinator
Dr. Gord Hall, Director of Occupational Health and Hygiene
Denis Kemp, Director, Environmental Development

Health Canada First Nations & Inuit Health Branch

Ray Alatalo, Environmental Health Officer

INCO Limited.

Glen Watson, Environmental Biologist
Dr. Bruce Conard, Vice President, Environmental & Health Sciences
Dr. R.W. (Bob) Francis, Medical Director

Ministry of the Environment

Brian McMahon, Sudbury Soils and SO₂ Assessment Program
Dale Henry, Manager, Human Toxicology and Air Standards
Mary Ellen Starodub, Senior Advisor, Risk Management

Sudbury & District Health Unit

Dr. Penny Sutcliffe, Medical Officer of Health
Ido Vettoretti, Community Environmental Health Specialist
Ed Wierzbicki, Environmental Support Officer

Chair, PAC

Ivan Filion, (non-voting), Academic Vice-president, Cambrian College

Communications Sub-Committee Chair

Cory McPhee, (non-voting), Manager, Communications, INCO Ltd.

Process Observer

Franco Mariotti (non-voting)

TC Facilitator

Dick DeStefano (non-voting)

Administrative Support

Julie Sabourin (non-voting)

Members of the Sudbury Soils Study Public Advisory Committee

Norris Artuso	Joe Cimino
Ronda Gougeon	John Hogenbirk (Vice Chair)
Gary Hrytsak	Aino Laamanen
Rubina Nebenionquit	Paul St. Jean
Ivan Filion (Chair)	Vacant Position
Vacant Position	Vacant Position
Franco Mariotti (Process Observer)	
Julie Sabourin (Recorder)	

Contact Information

For any comments or questions regarding this report, the Sudbury Soils Study, the Technical Committee or Public Advisory Committee, please contact us at the following:

Telephone: 1 866 315-0228
or through our web site
at: www.sudburysoilsstudy.com