

Presentation to Mackenzie Valley Environmental Impact Review Board on the Giant Mine Project

Bob Bromley, bbromley@wholearctic.ca

11 September, 2012

Introduction

Is translation happening?

Things have really changed over the years, and the process today is much better than it was some time ago. I recognize familiar and local faces amongst the Board and Staff. These are very positive differences.

Thanks to the Board for this opportunity to present my thoughts to you today. I know significant effort and expenditure goes into these community hearings, by both the Board and the Proponents, and it provides a real opportunity for the public to provide their input. I am here as MLA for Weledeh, a GNWT riding that includes the mine site, and the residences and businesses of those most affected.

I have tried to be in touch with my constituents about their concerns, and to reflect them in my comments here. The views presented do not necessarily reflect the view of GNWT, which is one of the project proponents.

By way of background, in the late 60s I became aware of environmental damage around the mine sites, and frequent reports of health issues such as skin rashes and cancer believed to be related to contaminants from the mines, Giant in particular. In 1969 and 1970, I worked with biologists and physicists from the Atomic Research Laboratory in Ames, Iowa to sample components of the environment, and samples of human hair and fingernail tissue for contaminant analysis. The subsequent report concluded that Yellowknife had some of the highest human and environmental samples for arsenic, mercury and possibly other elements like antimony in Canada. In 1971 I joined a group of citizens concerned about environmental issues, particularly arsenic and other pollutants from Giant Mine, to form Ecology North, a charitable non-government organization. Public concerns with respect to Giant Mine included worries in

relation to Berry picking, fishing, swimming, drinking water, skin rashes, very serious health issues, and ecosystem impacts.

Much later, I was initially on the Giant Mine Community Alliance as it formed and worked to establish Terms of Reference for its role in liaison between the public and the project, but became disillusioned with the lack of commitment from the Proponent/Regulator to public oversight. In protest on this issue, I declined further participation on the Coalition – but for little result.

Public Participation and Concern

My first comment is that there has been insufficient public participation, particularly with the Yellowknives Dene First Nation. Direct and costly impacts from both Giant and Con Mines over the decades are hopefully well known by now. From unsafe drinking water to costly displacement of hunting and fishing grounds, loss of ancient traditions, and at the extreme, deaths of children, their experience has indeed been dire. Chief Sangris yesterday, and Mr. Cheesy today, spoke to many of those impacts. Real participation in a project of this magnitude requires a comprehensive plan for involvement, a recognition of the unique value that public participation will have, and sufficient funding to enable the work required of meaningful participation.

Surface Activities:

Impacts on public safety due to ice thinning where there will be direct release of treated water into Back Bay;

water flows of released treated water in relation to City of Yellowknife intake.

Of note, Back Bay sediment concentrations of arsenic are known to be high. Treated water input directly into BB will continue to increase those concentrations. I am mystified by why this is not considered a concern, and I wonder if there is any saturation point where the arsenic will simply begin to be retained in the water column. With the climate change factor, we know there will be extreme and unpredictable weather events, will increasing threats to Giant

operations and perhaps even to things like bottom sediment concentrations in BB being disturbed enough to enter the ecosystems.

I also have questions about the clean-up approach to industrial standards, and the information that much of the area remains at residential standards currently. Will the project clearly delineate which areas meet the residential versus industrial standard for contaminants, and does the old residential area already meet those standards?

Giant Mine is a seriously contaminated site on any scale, and this is well recognized. The situation of having concentrated but unsecure storage of massive arsenic trioxide is well known by both regulators and the public. For residents and indigenous people, awareness of this condition is psychologically pervasive, and weighs on the mind.

Have attended a number of public meetings regarding the frozen block method of stabilizing arsenic trioxide deposits. I support the general approach as an appropriate interim action, but I remain nervous about the overall rigor brought to its final design and implementation.

Inherent Conflict of Interest / Independent Oversight

AANDC and GNWT are both the project proponents and the regulators for the Giant Mine Project. This also has been acknowledged by the board, and the proponents themselves. The potential for biased decision-making inherent in such situations demands action by the MVEIRB to make sure this concern is addressed in way that promotes the safest and most appropriate clean-up and stabilization plans, and that promotes transparency and public trust. To me, this requires consideration of the inherent challenges of a bureaucracy (turn-over / continuity, political direction, uncertain annual budgets, non-local decision making), its financial processes, and the need for an oversight role by local residents of the zone of impact.

Recently I attended a couple of workshops In Dettah and Yellowknife about independent public oversight, and learned more about the new but, unfortunately, increasing experience of dealing with perpetual care of highly

contaminated sites such as Giant Mine. Prominent in the discussions was acknowledgement of the important role for the public when they are provided with the tools to participate in a meaningful way. Based upon the current lack of an agreement and provisions in this regard, I urge the Board to ensure independent public oversight properly resourced that draws upon the recommendations for such oversight as put forward by the Yellowknives Dene First Nation and Alternative North. Such oversight should clearly include the Yellowknives Dene First Nation, non-government organizations, and the City of Yellowknife. I understand a number of meetings and discussions have taken place very recently between public parties and the proponents, but to considerable public dismay, there has been little substantive progress made towards the needed agreement. I believe the Board has a role in moving this forward under such an impasse.

Perpetual Care

The proponents have observed the need for perpetual care of this site, but I do not feel they have ensured the necessary operational mechanisms in terms of a comprehensive plan, secure funding in perpetuity for the annual maintenance work required, and the commitment to continuously pursue ongoing research towards methodology that ultimately resolves or largely addresses the various aspects, forms and quantities of arsenic contamination that threaten the public and their environment. There seems to be many lessons learned about perpetual care projects elsewhere that are not being tapped into by the Giant Mine Project.

Conclusion

Significant progress has been made in some areas of the Giant Mine Project, but others remain with significant public concern. To address these concerns and avoid the significant adverse environmental impacts that could result, I and many of my constituents believe the proponents must bring considerably more rigor into their plans for public participation, Local and Independent Project Oversight, environmental management plans, perpetual care and management of water. While I appreciate the proponents' claim that their plans will reduce public

concerns, I hope the Board will consider evidence of public trust as a much higher standard on which to judge the sufficiencies of the plan.

Ultimately, there are issues such as compensation to indigenous residents, an apology to residents from the serious public threat allowed to develop here and under which we and our descendants must live the rest of our lives, and a comprehensive accounting and report on lessons learned from Giant Mine that still stand to be addressed. If I can be allowed to cry over spilt milk for a second, I just wish the public had been given the opportunity for independent oversight back when the community raised serious health concerns in the 50s and 60s, and when Ecology North raised it to a national level in the early 70s. Our only response was “rest easy, your federal government has it in hand.”

Mahsi.