

GENERATIONPGM

October 23, 2020

Marathon Palladium Project (Ref. # 54755)
Impact Assessment Agency of Canada
T. 613-957-0700

RE: Generation Comments on Draft Terms of Reference (CIAR #694)

To Whom it May Concern,

Generation PGM Inc. (GenPGM) is excited to restart the Marathon Palladium Project (the “Project”), and is looking forward to picking up this Project where it left off, engaging with the Joint Review Panel, Indigenous communities and stakeholders to address questions or comments and moving this Project forward. We would like to submit comments outlined in this letter for consideration as amendments to the proposed Agreement and associated Terms of Reference for the Joint Review Panel assessing the Marathon Palladium Project (the “Project”). GenPGM respectfully asks that these amendments be accepted so the Joint Review Panel can operate as efficiently and effectively as possible, while still enabling meaningful community engagement and the spirit of the Joint Review Panel process.

GenPGM seeks opportunities to assist the Impact Assessment Agency (the Agency), the Government of Ontario and Joint Review Panel, through this process to share information as quickly and transparently as possible to minimize unnecessary Project delays. GenPGM hopes the Joint Review Panel, the Agency and Government of Ontario will share this common goal and accept the attached amendments (Appendix A) proposing to allow for more flexible timelines for certain procedural matters that do not impact meaningful community engagement. Reducing the number of days to shorter blocks of time and providing flexible language, makes the process adaptable and lowers the risk of the Joint Review Panel running out of days to complete the process. These amendments have been proposed in recognition that the previous Joint Review Panel found sufficiency in the information already provided by the original proponent. We wish to maintain the integrity of the process, while ensuring the Joint Review Panel’s work is continued as efficiently as possible so GenPGM can build this important, job-creating project that will be a strategic asset to Canada’s green economy and growth.

GenPGM believes the integrity of the process is critical and it is essential that local communities and Indigenous groups engage with the Agency, Government of Ontario, Joint Review Panel and GenPGM on the Project throughout the consultations and as it reaches the development stage. GenPGM maintains a strong community presence and level of engagement in the communities and municipalities in which it operates. We remain focused on strengthening these relationships and sharing in the social benefits of this project. To

this end, GenPGM is having positive ongoing conversations with the six Indigenous communities who have identified asserted rights and interests in the area.

GenPGM looks forward to a process that will enable communities to realize the socio-economic benefits of this project as quickly as possible. To date, the Project has received strong community support from the Town of Marathon, and the Economic Development Group of Thunder Bay, as well as positive and progressive interactions with the Biigtigong Nishnaabeg (Pic River First Nation), Red Sky Métis Independent Nation and Ontario Coalition of Indigenous Peoples. The local benefits of this Project are demonstrable. In addition to creating more than 400 full-time jobs, the Project offers Ontario and Canada a foothold in the global palladium market. Palladium's critical role in auto manufacturing presents the province and the country with an opportunity to address the currently insufficient global supply of this strategic asset. Given the role this Project will play in the revitalization of Northern Ontario's economy, GenPGM hopes that the Joint Review Panel can use available technology and information to allow hearings and panel processes to proceed in a timely manner.

Throughout the process, GenPGM will continue to assist the Joint Review Panel, with all levels of government, and with local communities. The attached amendments will enable all parties to continue working together, while bringing the Marathon Palladium Project to Northwestern Ontario as soon as possible and creating a strategic asset for Canada and Ontario.

Sincerely,

<Original signed by>

Jamie Levy
Chief Executive Officer
Generation PGM Inc.

Appendix A: Amendments to the Joint Review Panel Agreement and Associated Terms of Reference

<p>Joint Review Panel Agreement and Terms of Reference (as drafted)</p>	<p>Generation Mining Proposed Amendments</p>
<p><i>Agreement Section 9.3</i></p> <p>9.3 The Joint Review Panel will prepare a report, which will be submitted to the federal Minister of the Environment and the provincial Minister of the Environment <u>the earliest possible date</u> and within the overall time limit established under CEEA.</p>	<p><i>Agreement Section 9.3</i></p> <p>9.3 The Joint Review Panel will prepare a report, which will be submitted to the federal Minister of the Environment and the provincial Minister of the Environment <u>within 90 days or less from the date that the chairperson of the Joint Review Panel formally closes the hearing process.</u></p>
<p><i>Terms of Reference Section 3.3</i></p> <p>3.3. Once submitted to the Joint Review Panel, the EIS Addendum will be placed on the Public Registry and will be made available for public comments <u>for a minimum of 60 days</u>. The Joint Review Panel will request written comments from Indigenous groups, the public, governments and other interested parties on the sufficiency of the information as measured against the EIS Guidelines and on the technical merit of the information, which may include request for further information from the Proponent.</p>	<p><i>Terms of Reference Section 3.3</i></p> <p>3.3. Once submitted to the Joint Review Panel, the EIS Addendum will be placed on the Public Registry and will be made available for public comments <u>for up to 30 days or less.</u> The Joint Review Panel will request written comments from Indigenous groups, the public, governments and other interested parties on the sufficiency of the information as measured against the EIS Guidelines and on the technical merit of the information, which may include request for further information from the Proponent.</p> <p><i>Rationale:</i></p> <ul style="list-style-type: none"> • We understand the importance of Indigenous and stakeholder review and comments and wish to provide adequate time for review. To assist in this aspect, GenPGM will be providing staggered submission of material over the next few months. Updated baseline reports will be available in early November, followed by the submission of the front end of Environmental Impact Statement (EIS) Addendum around the end of 2020. These materials will not officially restart the clock or use any specified days for the

	<p>Joint Review Panel. These documents will be available on the IA Registry for public review before the last chapters of the EIS Addendum are submitted in early 2021, which will be GenPGM's response to the 2014 Information Request and the trigger of the official government clock.</p> <ul style="list-style-type: none"> • Public notice about the restart has already been out, so the public can start refamiliarizing themselves with the Project now.
<p><i>Terms of Reference Section 3.4</i></p> <p>3.4 Within 30 days of the completion of the public review of the EIS Addendum, the Joint Review Panel, taking into consideration the comments and any information requests received and its own review of the EIS Addendum, will determine if the EIS and the EIS Addendum contains sufficient information to proceed to a public hearing. If the Joint Review Panel determines that the EIS and EIS Addendum contains sufficient information to proceed to public hearing, it will schedule and announce the hearing in accordance with the procedures set out in these Terms of Reference.</p>	<p><i>Terms of Reference Section 3.4</i></p> <p>3.4 Within 20 days or less of the completion of the public review of the EIS Addendum, the Joint Review Panel, taking into consideration the comments and any information requests received and its own review of the EIS Addendum, will determine if the EIS and the EIS Addendum contains sufficient information to proceed to a public hearing. If the Joint Review Panel determines that the EIS and EIS Addendum contains sufficient information to proceed to public hearing, it will schedule and announce the hearing in accordance with the procedures set out in these Terms of Reference.</p>
<p><i>Terms of Reference Section 3.7</i></p> <p>Upon completion of the public review of the additional information or studies, the Joint Review Panel, taking into consideration any comments and any information requests received and its own review of the additional information, will determine within 30 days if the EIS, supplemented by the additional information or studies, is sufficient to proceed to public hearing. The procedures described in articles 3.4 through 3.6 will apply until the Joint Review Panel determines it has sufficient information to proceed to public hearing.</p>	<p><i>Terms of Reference Section 3.7</i></p> <p>Upon completion of the public review of the additional information or studies, the Joint Review Panel, taking into consideration any comments and any information requests received and its own review of the additional information, will determine within 20 days or less if the EIS, supplemented by the additional information or studies, is sufficient to proceed to public hearing. The procedures described in articles 3.4 through 3.6 will apply until the Joint Review Panel determines it has</p>

	sufficient information to proceed to public hearing.
<p><i>Terms of Reference Section 3.9</i></p> <p>3.9 The former Joint Review Panel issued procedures for the conduct of the public hearing. <u>The Joint Review Panel may amend the hearing procedures and, if amended, shall make the amended procedures subject to a public comment period.</u> The public hearing will provide the Proponent, federal, provincial and municipal governments, Indigenous groups and members of the public with an opportunity to present their views on the Project and to question information that has been provided by other participants.</p>	<p><i>Terms of Reference Section 3.9</i></p> <p>Comment: GenPGM agrees with the change if the intent is only to amend procedures to reflect dates and times (and possible venues), and if the hearing is to be held remotely in recognition of current COVID-19 restrictions, to include details on how this remote, digital process would be accessed.</p>
<p><i>Terms of Reference Section 3.22</i></p> <p>The Joint Review Panel will submit its report to the federal and provincial Ministers <u>at the earliest possible date,</u> and within the overall time limit established under CEAA 2012.</p>	<p><i>Terms of Reference Section 3.22</i></p> <p>The Joint Review Panel will submit its report to the federal and provincial Ministers <u>within 90 days or less, following the formal close of the hearing process,</u> and within the overall time limit established under CEAA 2012.</p>