

GENERATION PGM

October 25, 2021

Via E-mail

Impact Assessment Agency of Canada
160 Elgin Street, 22nd Floor
Ottawa, ON K1A 0H3

Attention: Jason Patchell
Co-Panel Manager,
Marathon Palladium Project

Dear Mr. Patchell:

**Re: Generation PGM ("GenPGM") Marathon Palladium Project ("Project")
Comments on the Public Hearing Procedures**

We are writing further to the Joint Review Panel ("JRP" or the "Panel")'s Draft Public Hearing Procedures (the "**Draft Hearing Procedures**") released on September 23, 2021 (Reference No. [933](#)). Pursuant to the JRP's Public Notice of the same date (Reference No. [934](#)), participants were invited to provide the Panel with general comments on the Draft Hearing Procedures by October 25, 2021. Please consider this letter to be GenPGM's formal written comments on the Draft Hearing Procedures.

GenPGM recognizes and acknowledges the concerns raised by various participants regarding virtual presentations, particularly involving the effect of virtual presentations on Indigenous communities (see Reference No. [938](#), for example).

Given that COVID-19 limits the JRP's ability to hold in-person hearing sessions, GenPGM believes that the Panel should endeavour to make it as simple as possible for participants to participate in the virtual hearings, and for GenPGM to have adequate time to respond to any concerns raised. To that effect, GenPGM requests six amendments to the Draft Hearing Procedures, as outlined below.

1. GenPGM requires sufficient time for oral presentations as the Proponent

The Draft Hearing Procedures state that oral presentations are limited to 15 minutes for General Hearing Sessions (Appendix A, section 1(c)), 20 minutes for Topic-Specific Hearing Sessions (Appendix A, section 3(c)), and 10 minutes for Closing Remarks (section 9(e)).

GenPGM submits that it requires additional time for its oral presentations. In practice, the Proponent has the most ground to cover in its presentations, as it must address comments made by the participants. Joint Review Panels have previously extended time limits for Proponents (see the New Prosperity Gold Copper Mine Project, Reference No. [37706E](#), for example).

GenPGM requests that the Draft Hearing Procedures be amended to allow GenPGM additional time for presentations, as follows: 30 minutes for General Hearing Sessions, 40 minutes for Topic-Specific Sessions, and 20 minutes for closing remarks.

2. The Panel should allow flexibility with participants' form of submission

In GenPGM's view, the Draft Hearing Procedures should also be amended to allow flexibility with the participants' form of submission. Currently, under section 4(e) of the Draft Hearing Procedures, participants intending to participate in the topic-specific hearings must submit both a written submission and make an oral presentation. The prior hearing procedures for the Project allowed participants to submit written submissions or written and oral submissions for topic-specific hearings (Reference No. [532](#)). Given that hearings will take place via videoconference, this flexibility is required.

3. Written submissions should be posted to the public registry immediately

GenPGM submits that written submissions should be uploaded to the public registry immediately following their receipt by the Panel Secretariat, in order to allow participants time to conduct a thorough review. Currently, section 6(a) specifies that all written submissions must be submitted to the Panel Secretariat fifteen (15) days prior to the Public Hearing. The Draft Hearing Procedures should be amended to require that these materials be uploaded to the public registry immediately.

4. The registration list should be posted to the public registry in advance

Under section 4(f) of the Draft Hearing Procedures, participants must register with the Panel Secretariat at least thirty (30) days in advance of the Public Hearing. The registration list, including the names of all registered participants, should be posted to the public registry at least twenty (20) calendar days before the Public Hearing. This will facilitate transparency in the Public Hearing process.

5. Participant presentations should be filed further in advance

While written submissions are required to be filed fifteen (15) days prior to the Public Hearing under section 6(a) of the Draft Hearing Procedures, the visual presentations are only required to be submitted two (2) days in advance, per section 15(c). GenPGM requests that participant visual presentations be filed fifteen (15) days in advance of the Public Hearing. This will give participants and GenPGM adequate time to review the presentation materials prior to the Public Hearing.

6. Participants should submit closing remarks 24 hours before GenPGM's closing remarks

Finally, GenPGM requests that participants be required to submit closing remarks 24 hours before GenPGM is required to deliver closing remarks, in order to permit reasonable time for GenPGM's review and response to any concerns raised. Currently, section 9 of the Draft Hearing Procedures, Closing Remarks, contains no deadline for the submission of closing remarks.

If you have any questions or concerns, please do not hesitate to contact the undersigned.

Sincerely,

GENERATION PGM INC.

<Original signed by>

Jeremy Dart
Environmental Manager