

ATTACHMENT August 18, 2022

**Federal Authority Advice Record: Designation Request under IAA**

**Response due by September 8, 2022**

Summit Mine 14 Project

Department/Agency	Health Canada
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1. Has your department or agency considered whether it has an interest in the Project; exercised a power or performed a duty or function under any Act of Parliament in relation to the Project; or taken any course of action (including provision of financial assistance) that would allow the Project to proceed in whole or in part?

No

Specify as appropriate.

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2. Is it probable that your department or agency may be required to exercise a power or perform a duty or function related to the Project to enable it to proceed?

No

If yes, specify that power, duty or function and its legislative source.

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3. If your department or agency will exercise a power or perform a duty or function under any Act of Parliament in relation to the Project, will it involve public and Indigenous consultation?

Not applicable

Specify as appropriate.

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4. Is your department or agency in possession of specialist or expert information or knowledge that may be relevant to any potential adverse effects within federal jurisdiction caused by the Project or adverse direct or incidental effects stemming from the Project?

Yes

Specify as appropriate.

As a federal authority, Health Canada will provide specialist or expert information and knowledge in the Department's possession (expertise) to support the assessment of impacts on human health from projects considered individually or cumulatively under the *Impact Assessment Act* (IAA). It should also be noted that expertise related to assessing human health that is relevant to impact assessment (IA) may be held by other federal, provincial, and municipal partners, reflecting the shared jurisdiction for environmental and human health within Canada. For example, the Public Health Agency of Canada (PHAC) has expertise in the social determinants of health approach and health equity, and may provide that expertise through Health Canada, upon request from the reviewing body(ies). How the expertise provided by Health Canada and PHAC will be used in the IA process will ultimately be determined by the reviewing body(ies).

Health Canada can provide human health expertise in the following areas:

- Air quality health effects;
- Contamination of country foods (e.g. fish, wild game, garden produce, berries, etc.);
- Drinking and recreational water quality;
- Radiological effects;
- Electric and magnetic fields;
- Noise impacts;
- Methodological expertise in human health risk assessment;
- Methodological expertise in conducting Health Impact Assessment (HIA); and
- Public health emergency management of toxic exposure events.

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5. Has your department or agency had previous contact or involvement with the proponent or other parties in relation to the Project?

No

Provide an overview of the information or advice exchanged.

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6. From the perspective of the mandate and area(s) of expertise of your department or agency, does the Project have the potential to cause adverse effects within federal jurisdiction or adverse direct or incidental effects as described in section 2 of IAA? Could any of those effects be managed through legislative or regulatory mechanisms administered by your department or agency? If a licence, permit, authorization or approval may be issued, could it include conditions in relation to those effects?

Specify as appropriate.

Health Canada has reviewed the following documents and webpages:

- Request for Designation under IAA - Letter to Federal Authorities (Notification and Request for Infor.pdf
- Feltmate (JFK) to Guilbeault (ECCC) and IAAC - Mine 14 Project - Designation Request (1).pdf
- <https://maximpowercorp.com/summit-coal/>
- Mine 14 Project Summary Doc – May.4.22.pdf

There are few details in the available documents related to the areas of expertise of Health Canada (HC). Additionally, the document: **Feltmate (JFK) to Guilbeault (ECCC) and IAAC - Mine 14 Project - Designation Request (1).pdf** referenced an EPEA Approval Application from 2007 that was not provided for review and could not be located, which may have relevant additional details.

However, based on the information provided and HC's experience with similar projects submitted under IAA or the *Canadian Environmental Assessment Act, 2012*, some project activities may lead to a risk of adverse human health effects. HC does not approve or issue licences, permits or authorizations in relation to development projects; therefore, none of the potential effects stated below can be managed by the Department. There may be a potential for impacts to human health in the following areas:

## Air Quality

There is a potential for adverse impacts to human health through the degradation of ambient air quality through increased exhaust emissions from machinery, fugitive dust, and fuel combustion by-products during construction and operations phases of the Project. These emissions may include fine and ultra-fine particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), nitrogen oxides (NO<sub>x</sub>), sulphur dioxide (SO<sub>2</sub>), diesel particulate matter (DPM), volatile organic compounds (VOCs), among other air pollutants that may be emitted during these phases. Without detailed emission information provided by the proponent, the location of potential human receptors, and an assessment of the potential effects on the ambient air quality HC cannot provide additional advice on the potential adverse impact to human health (see response to 9 below for Health Canada guidance). Contaminant-specific isopleth maps with human receptor locations identified should be provided. Human receptor locations should include traditional/recreational land use areas, seasonal cabins, permanent residences and any particularly sensitive receptors (e.g. schools, hospitals, seniors residences, etc.).

## Noise

Ambient noise levels may increase due to machinery use, construction and operation activities, and increased traffic during the construction and operation phases of the Project. There may be potential adverse impacts to human health from increased noise including but not limited to sleep disturbance, speech comprehension, and a percentage change in highly annoyed. It is noted that the document: **Feltmate (JFK) to Guilbeault (ECCC) and IAAC - Mine 14 Project - Designation Request (1).pdf** states the Project is approximately 4 km from the community of Grand Cache and between 10 to 20 km from a number of Indigenous Co-operative Lands. These communities are relatively close to the proposed Project, which may require additional mitigation measures to reduce the effect of Project noise on community members. Without additional information provided by the proponent, the location of potential human receptors (including recreational and traditional land use areas and locations of any seasonal cabins), and a noise assessment, HC cannot provide advice on the potential adverse impact of noise exposure to human health.

## Water Quality

Surface water may be impacted by spills of harmful substances (e.g., oils/fuels, waste products, flame retardants, etc.) used for the Project during construction and operations and the release of selenium and other contaminants related to coal mining during the operation phase of the Project. This has the potential to impact recreational and drinking water quality and may impact human health through dermal contact or ingestion. HC suggests identifying water bodies that are currently used, or may be used in the future, for recreational and traditional purposes (e.g. swimming, fishing) or likely to be used as a source of drinking water, and that may be affected by Project activities.

Local changes to groundwater may also affect the quality of local potable water sources. HC recommends the proponent identify all drinking water sources and water bodies that are used for traditional purposes and confirm whether any users consumes treated or untreated water nearby the Project site.

Without additional information provided by the proponent, the location of potential human receptors and the identification of water sources used by the community and land users, HC cannot provide advice on the potential adverse impact of exposure to surface water or groundwater on human health.

## Country Foods

The Project can potentially impact the quality of country foods through the same mechanisms that may impact human health (changes to water quality and air quality). The emissions of contaminants to the environment may lead to increased concentrations of these contaminants in country foods that are then harvested and consumed. It is noted in the document: **Feltmate (JFK) to Guilbeault (ECCC) and IAAC - Mine 14 Project - Designation Request (1).pdf** that Indigenous People regularly use the lands around the Project for traditional activities, including hunting and gathering. Without the identification of receptors, contaminants that are emitted to the environment and what country foods are harvested in the area, HC cannot provide advice on the potential for adverse human health impacts associated with the consumption of local country foods.

## Human Health Setting

In order to assess potential risks to human health, it is necessary to identify locations of potential human receptors, including residences and sensitive human receptor locations (i.e. schools, hospitals, retirement complexes or assisted care homes), through maps and diagrams. The distances between human receptor locations and the key components of the Project that may impact these receptors

should be identified. A human health risk assessment (HHRA) that contains all relevant contaminants and potential exposure pathways should also be provided. The information provided has none of these details so HC cannot comment on the potential for risks to human health.

Information on how the project would differentially impact diverse groups of people with respect to health-relevant factors is not provided. For example, if the Project is anticipated to create employment opportunities, details could be provided on how potential employment impacts would affect diverse groups of people (e.g., men vs. women, Indigenous vs. non-Indigenous, skilled vs. unskilled, training opportunities, local resident workers vs. temporary workers or workers from outside the community). Disaggregated information is required to conduct gender-based analysis to understand the differential health impacts of the project on women, children and other vulnerable groups (including from a cumulative effects perspective. For example how changes from the proposed Project will be impacted from existing and future projects in the area).

Health Canada suggests that the assessment of Human Health and Community Well-Being should include a Health Impact Assessment (HIA) with indicators informed through engagement with potentially affected Indigenous communities. The HIA would be in addition to the HHRA that has already been suggested.

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7. Does your department or agency have a program or additional authority that may be relevant and could be considered as a potential solution to concerns expressed about the Project? In particular, the following issues have been raised by the requestor:

- adverse effects on fish and fish habitat;
- adverse effects on migratory birds and species at risk and their critical habitats. Concerns were raised about the yellow-bellied flycatcher, common yellowthroat, black-throated green warbler, harlequin duck, Cassin's vireo, barred owl, and western toad; the requester asserts that these species are known to be near the Project's vicinity;
- changes to the environment that occur on federal lands, including Jasper National Park;
- changes to the environment that occur in a province or territory other than the one where the Project is taking place, including British Columbia;
- adverse effects to multiple waterways due to selenium contamination;
- adverse cumulative effects due to historical and present coal development in the area;
- adverse effects to critical wildlife habitat, including Bighorn sheep, Woodland caribou, grizzly bear and wolverines;
- changes to the environment that could affect the Indigenous peoples of Canada and their ability to practice section 35 rights; and,
- changes occurring to the health, social, or economic conditions of the Indigenous peoples of Canada.

If yes, please specify the program or authority.

See above for areas of expertise that Health Canada can provide, upon request.

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8. Does your department or agency have information about the interests of Indigenous groups in the vicinity of the Project; the exercise of their rights protected by section 35 of the *Constitution Act, 1982*; and/or any consultation and accommodation undertaken, underway, or anticipated to address adverse impacts to the section 35 rights of the Indigenous groups?

No

If yes, please specify.

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9. If your department has guidance material that would be helpful to the proponent or the Agency, please include these as attachments or hyperlinks in your response.

**Available Health Canada guidance:**

Health Canada has published the following guidance documents for evaluating human health impacts:

Guidance for Evaluating Human Health Impacts in Environmental Assessment:

- Human Health Risk Assessment

- Air Quality
- Water Quality
- Country Foods
- Noise
- Radiological Impacts

Guidance documents are available here upon request:

<https://www.canada.ca/en/services/health/publications/healthy-living.html#a2.5>

Brenda Woo

Name of departmental / agency responder

Regional Manager

Title of responder

September 8, 2022

Date