

Federal Authority Advice Record (FAAR)

Cooper Cove Marine Terminal Expansion Project – Port of Argentinia

Registry reference no.: 86128

Department/Agency	Health Canada
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1. a) 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?

If yes, specify the Act of Parliament and that power, duty or function.

No

b) Please describe any Indigenous or public consultation that will be undertaken in relation to the exercise of that power, duty or function, including when it would take place.

Not applicable (N/A)

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2. Is your department or agency in possession of specialist or expert information or knowledge in one of your fields of expertise that may be relevant to the conduct of an impact assessment of the Project?

Specify the specialist or expert information or knowledge.

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;
- Recreational and drinking water quality;
- Country foods;
- Noise;
- Methodological expertise in human health risk assessment;
- Methodological expertise in health impact assessment; and
- Public health emergency management of toxic exposure events.

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3. Has your department or agency 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 that would allow the Project to proceed in whole or in part?

Please specify if applicable.

Not applicable (N/A)

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4. Has your department or agency had previous contact or involvement with the proponent or other party in relation to the Project (for example: an enquiry about methodology, guidance, or data; introduction to the Project)?

Please provide an overview of the information or advice exchanged.

No

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5. Does your department or agency have additional information or knowledge about the project not specified above, including information about its geographic, environmental, economic or social context (for example, location of protected or sensitive areas, history between local communities and proponent or similar projects, local or regional social or economic concerns)?

Please specify if applicable.

No

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6. From the standpoint of your department's mandate and expertise, what are the main issues concerning the project?

For each key issue, please:

- describe the effect or the nature of the issue, including any relevant context;
- provide the rationale and/or evidence for why it is a key issue;
- briefly provide solutions to the issue, including information or studies that, if applicable, should be requested to the proponent in the Tailored Impact Statement Guidelines, potential mitigation measures, or regulatory requirements relevant to the issues;
- provide a concise, plain-language summary of the issue for inclusion in the Summary of Issues.

The information provided will be taken into consideration by the Agency to formulate an opinion on whether an impact assessment is required and, if applicable, will be taken into account in developing project-specific Tailored Impact Statement Guidelines in the next steps of the impact assessment process.

Please use Table 1 to answer this question.

7. If applicable, specify any additional information the proponent could provide in the Detailed Project Description or in its response to the Summary of Issues that:
- would make it possible to verify whether certain minor issues could be addressed and managed by clear measures, existing guidelines, other regulatory processes or other existing tools;
 - help the Agency to provide an opinion if an impact assessment is required, or
 - would support the tailoring of the Impact Statement Guidelines if the Agency is of the opinion that an impact assessment is required.

These clarifications and additional information will be included as specific questions/issues in the Summary of Issues provided to the proponent.

Please use Table 2 to answer this question.

Lance Richardson-Prager
Health Canada

Name of department or agency involved

A/Environmental Health Programs
Regional Manager

Speaker title

2023-12-20

Date

Table 1: Key issues to inform the impact assessment process

The Agency asks that federal authorities guide expert advice on the Agency's approach to project specific tailoring, if the Agency is in the opinion that an impact assessment is required. This approach aims to focus the assessment on the Project's key issues, with an emphasis on the prevention of adverse environmental effects in areas of federal jurisdiction. In determining key issues, federal authorities should be mindful of the Project's context (size, scope, location), Indigenous knowledge and perspectives, and public concerns.

Potential effects that are considered minor, or that can be mitigated through clear measures, existing guidance or other regulatory processes, may be subject to simplified information requests or be disregarded. Advice from federal authorities on key issues and solutions - and on the scope and detail of the studies and information requested - will enable the Agency to focus the analysis on those issues that are important for the impact assessment process.

Comment ID	Relevant section of the initial project description	Valued Component or Factor to Consider	Description of key issue (context and rationale)	Advice	Plain-language summary for inclusion in Summary of Issues
<p><i>Please present comments by organization and comment number</i></p> <p><i>e.g.: IAAC-01</i></p>	<p><i>If the comment relates to a specific section of the initial project description, please provide the reference.</i></p>	<p><i>Identify valued component(s) or factor to consider—within the mandate of your department or agency—to which the potential effect or issue applies.</i></p>	<p><i>Please provide a brief description of the issue and rationale for being a key issue.</i></p> <p><i>Include, where relevant:</i></p> <ul style="list-style-type: none"> • <i>the sequence of potential effects;</i> • <i>the relevant context that specifies why this is a key issue;</i> • <i>key uncertainties that should be addressed in the impact assessment;</i> • <i>Indigenous or public concerns or perspective;</i> • <i>scientific data or traditional knowledge, including from previous projects, that justifies the inclusion of the key issue in the project assessment.</i> 	<p><i>If applicable, please provide brief solutions/advice to address the issue or potential effect, including:</i></p> <ul style="list-style-type: none"> • <i>studies or information relevant to describing and characterizing the potential effect, including any guidance for data collection or analysis or existing data sources to inform the assessment;</i> • <i>any powers your department or agency has that may mitigate, manage or set conditions related to the issue;</i> • <i>advice or policies to frame and mitigate the potential effect;</i> • <i>standardized mitigation or monitoring measures that could manage potential effects, including follow-up on monitoring activities;</i> • <i>Commitments the proponent could make to respond to the issue.</i> 	<p><i>For issues to be included in the Summary of Issues, provide a concise, plain language synopsis of the key issue and any questions or directions for the proponent, if applicable.</i></p>
<p>HC-01</p>	<p>Section 2.4 - (4) Indigenous Engagement</p> <p>Section 6.6.5 – Indigenous Rights</p> <p>Section 6.6.5.1 - Food, Social and Ceremonial Fishing</p> <p>Section 6.6.5.2 - Land, Traditional Land and Resource Use</p> <p>Section 6.6.5.3 - Plans for Future Engagement</p> <p>Section 7.0 - (25) Part F: Summary</p> <p>Table 24 -</p>	<p>Human Health – Human Receptors</p>	<p>Without sufficient information on locations of human receptors or traditional land use activities, Health Canada cannot provide informed comments on Key Issues</p> <p>For a project to present a risk to human health from exposure to chemical substances, three criteria must be present: the potential for releases of contaminants of potential concern (COPCs), the presence of human receptors, and route(s) of exposure. Human health may also be affected by noise emissions reaching human receptors in the vicinity of a project-related activity (e.g., construction activities, increase marine traffic, etc.). Well-being may also be impacted by changes to social and economic conditions.</p> <p>The iPD identifies consultation activities that were undertaken by the Port of Argentia (POA) with the surrounding communities and Indigenous communities (Miawpukek First Nation (MFN) and Qualipu). However, the iPD does not specify the locations of human receptors likely to be affected by changes to environmental, social and economic conditions associated with the Project.</p> <p>The iPD also identifies several potential effects from the Project on human health and well-being. However, the IPD states the following in section 6.6.5:</p>	<p>HC recommends that the following information be requested from the proponent:</p> <ol style="list-style-type: none"> 1. Provide a map showing the Project area and approximate locations of known temporary/permanent/seasonal residences, traditional land uses (e.g., country food harvesting areas), and known locations of sensitive human receptors (e.g.: schools, daycare centres, hospitals, assisted care homes) that may be impacted by the Project. Specify whether/how Indigenous knowledge will inform the selection of sensitive receptor locations in the DPD. 2. Complete a preliminary problem formulation, including a conceptual site model, of human health risks by describing potential linkages between Project activities, effects on the natural environment (including country foods), and exposure pathways (e.g.: air quality, drinking and recreational water quality, etc.). 3. Describe potential linkages between project activities and social determinants of health. <p>For reference:</p> <ol style="list-style-type: none"> a. Health Canada's guidance document on assessing potential human health risk from projects: Guidance for Evaluating Human Health Impacts in Environmental Assessment: Human Health Risk Assessment: https://publications.gc.ca/site/eng/9.870475/publication.html b. Further guidance on the pathways of effects approach is available, upon request to ia-ei@hc-sc.gc.ca, in Health Canada's Interim Guidance Document for the Health Impact Assessment of Designated Projects under the Impact Assessment Act. Draft for review. June 30, 2022 	<p>There is insufficient information regarding human receptors, and the pathways between Project effects and human health risks, to assess the potential impacts on human health.</p>

			<p>“In the absence of feedback from Indigenous communities at this time, considering information on this subject from nearby projects (i.e. Vale’s Long Harbour Commercial Nickel Processing Plant), as well as historical information, the [Port of Argentia] is of the understanding that this Project will have a low impact on Indigenous peoples.”</p> <p>The lack of feedback from Indigenous communities should not be perceived as a lack of interest in the Project or that effects are not likely. Additionally, it is unclear what information from nearby projects and historical information was used to support a conclusion of low impact on health and well-being.</p>		
<p>Given the information available, Health Canada (HC) considers it premature to attempt to remove relevant human health Key issues at this phase. However, the scope of the analysis recommended in comments HC-02 to HC-07 should be adapted to the human receptors present and their concerns.</p>					
HC-02	<p>Section 2.4 - (4) Indigenous Engagement</p> <p>Section 6.6.5 - Indigenous Rights</p> <p>Section 6.6.5.1 - Food, Social and Ceremonial Fishing</p> <p>Section 6.6.6 - (22) Socioeconomic Environment Impacts</p>	<p>Human Health – Country Foods</p>	<p>The lack of feedback from Indigenous communities at an early stage of Indigenous engagement does not support the conclusion that the Project would have a low impact on country foods harvested by these communities.</p> <p>The following is stated in section 6.6.5.1:</p> <p>“In a search conducted by DFO in 2023, they concluded that both MFN and QMFNB both have fishing interests in Northwest Atlantic Fisheries Organization (NAFO) Subdivision 3Psc, which overlaps Placentia Bay.”</p> <p>Furthermore, the iPD states the following in section: 6.6.6</p> <p>“For the wider community, increased effects of anthropogenic impacts such as increased marine vessel traffic in the Project area could have long term effects on the local communities. Furthermore, the Project could lead to changes in the local marine environment, potentially impacting fish populations and other marine life, which could harm local fisheries and food security, with indirect consequences for the community's health and wellbeing”</p> <p>Therefore, HC is of the opinion that there is a potential for project-related changes to country foods sources.</p> <p>Furthermore, the iPD states the following in section 2.4:</p> <p>“Though neither the Miawpukek First Nation nor the Qalipu Mi’kmaq First Nation have provided any feedback regarding the Project to the Proponent at this time, the POA is committed to working with the First Nations in the event that concerns or issues arise</p>	<p>HC recommends that the following information be requested from the proponent:</p> <ol style="list-style-type: none"> 1. Consult the Miawpukek, Qalipu and any other Indigenous communities nearby to obtain information regarding the traditional land use activities (e.g., fishing, hunting, ceremonial sites, etc.) and species harvested (eg.: medicinal plants, berry picking, marine biota, etc.) that could interact with project activities or their effects. 2. Specify whether or how Indigenous Knowledge from the Miawpukek, Qalipu, and other nearby communities was/will be used to inform the description of potential linkages between project effects on country foods and human health. <p>For reference: Health Canada’s guidance document on assessing potential human health risk from projects: Guidance for Evaluating Human Health Impacts in Environmental Assessment: Country foods, https://publications.gc.ca/site/eng/9.855584/publication.html</p>	<p>There is insufficient information regarding traditional land use activities to assess the potential impacts of the Project on country foods.</p>

			<p>regarding the Project. The POA also commits to observing and/or participating in any engagement activities facilitated by IAAC. This section will be updated as information becomes available.”</p> <p>Therefore, the Indigenous engagement process appears to be in an early stage and the proponent is unable to identify potential exposure pathways (e.g., country foods of importance) for the Miawpukek and Qalipu communities.</p>		
HC-03	<p>Section 6.6.2 – Acoustic Environment</p> <p>Section 6.8.2.6 – Noise</p>	Human Health – Noise	<p>The iPD does not mention any plans to study environmental noise and potential effects to human health nor any complaint resolution protocols.</p> <p>The draft IPD states the following in section 6.8.2.6:</p> <p>“During construction, potential noise sources include vehicle traffic on the site and access road, on-site equipment, and other construction activities, such as blasting, that may be necessary to meet grade requirements.”</p> <p>Section 6.6.2. describes briefly the potential noise impact during the construction and operational phase of the Project.</p> <p>However, the iPD does not discuss potential impacts on human receptors from project-related noise.</p>	<p>HC recommends that the following information be requested from the proponent:</p> <ol style="list-style-type: none"> 1. Describe the existing background environmental noise in the vicinity of the Project and whether noise generated from the Project may affect any human receptors. <p>For reference: Health Canada’s guidance document on assessing potential human health risk from projects: Guidance for Evaluating Human Health Impacts in Environmental Assessment: Noise: https://publications.gc.ca/site/eng/9.832514/publication.html</p>	<p>There is insufficient information regarding the potential impacts to human health from noise generated during the construction and operational phases of the Project.</p>
HC-04	<p>Atmospheric Environment, Section 4.7.2,</p> <p>Airborne Emissions (Construction), Section 6.8.2.5,</p> <p>Airborne Emissions (Operations), Section 6.8.3.1,</p> <p>Summary, Section 7.0</p>	Human Health – Air Quality	<p>Potential routes of exposure from changes to ambient air quality have not been considered, including the potential contamination of country foods from deposition of airborne contaminants.</p> <p>Sections 6.8.2.5 and 6.8.3.1, and Table 24 identify dust emissions and exhaust emissions from heavy equipment during the construction phase and exhaust emissions from marine vessels during the operation phase as potential effects from the Project.</p> <p>Additionally, according to section 4.7.2 of the iPD, data from an air monitoring station in Arnold’s Cove, NL, located about 53 km north of the Project area, is used to estimate/establish the baseline atmospheric conditions. However, it appears the monitoring station only measures levels of sulphur dioxide (SO₂) and fine particulate matter (PM_{2.5}). In addition, no rationale was provided to indicate that the data from that monitoring station is representative of Project area conditions. The IPD also states that the project “largely adhered to air quality standards”, however, the more recent Canadian Ambient Air Quality Standards were not referenced.</p>	<p>HC recommends that the following information be requested from the proponent:</p> <ol style="list-style-type: none"> 1) Provide additional information regarding the choice of surrogate baseline data and relevant COPCs. 2) Identify whether potential Project effects on ambient air quality may result in pathways of exposure to pollutants for identified human receptors. 3) Refer to the most stringent and most up-to-date federal and provincial air quality criteria. <p>For reference: Health Canada’s guidance document on assessing potential human health risk from projects: Guidance for evaluating human health impacts in environmental assessment: air quality: https://publications.gc.ca/site/eng/9.802343/publication.html</p> <p>Note that when assessing the potential health effects from non-threshold air contaminants, there is no level below which there is no adverse health effect.</p>	<p>There is insufficient information regarding the potential impacts to human health from air emissions generated during the construction and operation phases of the Project.</p>

HC-05	<p>6.8.2 Potential Environmental Impacts, Accidents and Malfunctions during Construction</p> <p>6.8.3 Potential Environmental Impacts, Accidents and Malfunctions during Operation</p>	Human Health – Accidents and Malfunctions	<p>The proponent anticipates developing an Environmental Health and Safety Contingency Plan and an Environmental Emergency Response Plan for response to unforeseen circumstances (Section 6.8.2 and Section 6.8.3). However, a qualitative discussion of potential impacts (e.g., from spills) at human receptor locations has not been included.</p>	<p>HC recommends that the following information be requested from the proponent:</p> <ol style="list-style-type: none"> 1) Provide a qualitative discussion of potential impacts (e.g., from spills) at human receptor locations that will inform the development of the proposed Environmental Health and Safety Contingency Plan and the Environmental Emergency Response Plan <p>Health Canada's guidance on responding to crude oil incidents may be useful to inform emergency response planning if it is determined that an IA is required. Available at: https://publications.gc.ca/collections/collection_2018/sc-hc/H129-82-2018-eng.pdf</p>	<p>There is insufficient information regarding accidents and malfunctions scenarios to identify the potential for human health impacts.</p>
HC-06	<p>Section 6.0 Part E: Potential Effects of the Project</p> <p>6.4 (22) Health, Social, or Economic Conditions</p> <p>Section 6.6.6 (22) Socioeconomic Environmental Impacts</p> <p>6.6.6.1 Gender-Based Analysis Plus</p> <p>Section 6.6.7 - (21) Human Health Impacts</p>	Human Health – Determinant of health	<p>It remains unclear how different subgroups of the population (e.g., men vs. women, Indigenous vs. non-Indigenous, youth vs. elderly, etc.) may be impacted by the potential adverse impacts mentioned in section 6.0.</p> <p>Section 6.6.6 and 6.6.7 of the iPD explain the potential economic, social and health benefits and impacts from the Project. Furthermore, the iPD details different initiatives the proponent is planning to put in place to have better equality with respect to gender and diversity groups in the workforce from different project components.</p> <p>Section 6.6.6.1 states the POA is committed to learning how the Project may impact different subgroups differently but has not specified how the information will be sought or analyzed.</p>	<p>HC recommends that the following information be requested from the proponent:</p> <ol style="list-style-type: none"> 1) Provide a description of the local communities' subgroups to better identify whether Project effects may result in differential impacts within each group. 	<p>There is insufficient information regarding the potential differential impacts of the Project on sub-populations that are disproportionately impacted by inequities.</p>
HC-07	<p>Section 4.8 (15) Regional Health, Social and Economic Context – Table 9 Projects of a Similar Nature in Proximity to Project Area</p> <p>Section 2.5.1 - (5) Regional Assessments</p>	Human Health – Cumulative effects	<p>The iPD does not discuss the Project's contributions to cumulative health effects.</p> <p>Table 9 of section 4.8 lists similar projects in proximity to the Project area and section 2.5.1 lists relevant regional assessments to the Project.</p>	<p>HC recommends that the following information be requested from the proponent:</p> <ol style="list-style-type: none"> 1. Provide information on the potential cumulative environmental, social and economic effects of existing and future projects within the vicinity of the Project and their potential to collectively impact human health for the identified receptors. 	<p>There is insufficient information regarding the potential cumulative impacts of the current and future projects in the same area of the Project.</p>