

**TAB 14**

COR/2019/00289

Mr. Stan Marshall, CEO  
Nalcor Energy  
500 Columbus Dr  
PO Box 12800  
St. John's NL A1B 0C9

Dear Mr. Marshall:

**Re: IEAC Recommendations on Methylmercury at Muskrat Falls**

I am writing with respect to the final recommendations from the Independent Experts Advisory Committee (IEAC) on methylmercury at Muskrat Falls. This Department has spoken with the Chair of the IEAC, and has touched base with the three Indigenous groups, and has heard further scientific analysis from methylmercury experts. My department has reviewed those recommendations carefully and has continued to examine the results of the ongoing methylmercury monitoring program. We have come to a decision pertaining to the final IEAC recommendations. As Nalcor is central to implementing these recommendations, I have outlined the Provincial response to them below.

**IEAC Recommendation #4: Mitigation of methylmercury impacts**

This recommendation consisted of two parts, namely, targeted soil removal and wetland capping. There was no consensus on this recommendation by either the IEAC scientific sub-committee or the IEAC oversight committee. The recommendation was made on the basis of a committee vote, however, every member of the committee provided a written summary of their reason for voting as they did (see attached letter from Dr. Ken Reimer, Chair). The lack of consensus was because of differing opinions about the benefits of soil removal and possible negative impacts that were not accounted for in the modelling exercise. Furthermore, surface water quality monitoring for methylmercury since October 2016 with over 1,100 samples, contradicts some of the modelling predictions given that there has already been some reservoir impoundment. Wetland capping, on the other hand, was supported by all Indigenous groups. I am therefore directing that Nalcor proceed with the wetland capping option only and that Nalcor do so in accordance with the permitting requirements of this department.

**IEAC Recommendation #5: Monitoring**

The IEAC recognized there is already a strong monitoring program in place that fulfills the obligations of Nalcor to federal and provincial government regulators. Building on that program, the IEAC recommended that the "next phase" of the IEAC or a new

independent body, involve the community to design, implement, and oversee the monitoring program. Benchmarks would be created to interpret monitoring results that would act as triggers for pre-established actions for dietary advice, public health programming, and accommodation and compensation for impacted populations as required for implementing Recommendation #7 below. Government will work with the Indigenous groups to establish a new advisory committee focused on implementing this recommendation and begin with the setting of new terms of reference for implementing this recommendation and Recommendation #7. As with the IEAC, Nalcor would be a full participant and be responsible for funding the committee.

### **IEAC Recommendation #6: Posting of an Impact Security Fund**

The IEAC began this recommendation by stating, "There needs to be a guarantee that the Indigenous and local population will have access to plentiful, high quality and culturally appropriate alternate foods, whenever possible country foods, if there are impacts to those foods resulting from impoundment of the Muskrat Falls reservoir". I would like to point out that on June 14, 2016, the then Minister of Environment and Conservation released Nalcor's Human Health Risk Assessment Plan (HHRAP) subject to the following condition:

*Should downstream methylmercury monitoring identify the need for consumption advisories as a result of the project, Nalcor shall consult with relevant parties representing Lake Melville resource users. Based on the location of the consumption advisories these users could include Aboriginal Governments and organizations as well as other stakeholder groups. Following consultation, Nalcor shall provide reasonable and appropriate compensation measures to address the impact of the consumption advisory.*

There is obviously a considerable overlap in the intent of the IEAC recommendation and what this Government has already required Nalcor to do. The IEAC further recommended that the province and Nalcor discuss the details of an impact security fund directly with the affected parties and provide capacity funding for relevant expertise. We would propose that discussions on monitoring and management of human health precede any discussion on compensation. This is particularly important given the results of the ongoing methylmercury monitoring program.

### **IEAC Recommendation #7: Management of Human Health**

Based on two separate but similar biomonitoring studies of current exposure to methylmercury in the area's population, it was found that in all but two individuals, methylmercury levels in hair were in the normal acceptable range according to Health Canada's *Canadian Methylmercury Guidance Values and Recommended Actions*. According to one IEAC contracted scientist (Ollson), "Overall, the concentrations of THg in the Muskrat Falls Project area participants appear to be generally similar levels to those of the general Canadian population and far less than some other northern Inuit populations".

Nevertheless, the IEAC recommended that standard advice be provided to pregnant women and the community at large that it is important to eat country foods, and also that country foods and water are safe. After Muskrat Falls inundation there needs to be an appropriate response and communications plan to ensure safe ongoing dietary

advice is provided should methylmercury increases be detected through the community based monitoring as recommended in Recommendation #5 above. We are directing therefore, that Nalcor fund a new committee focused on public health chaired by a recognized public health professional to fulfil this task concurrently with Recommendation #5.

I would like to take this opportunity to thank Nalcor for its cooperation and funding support for the IEAC process thus far and I look forward to continuation as we work towards implementing these important recommendations for the protection of human health from potential impacts of methylmercury at Muskrat Falls

Sincerely,

**GRAHAM LETTO, MHA**  
District of Labrador West  
Minister of Municipal Affairs and Environment

enclosure

cc: Hon. Dwight Ball, Premier  
Hon. Siobhan Coady, Minister of Natural Resources  
Mr. Jamie Chippett, Deputy Minister