

NORTHWATCH FINAL COMMENT ON THE GENPGM'S PROPOSED MARATHON MINE PROJECT



SUBMITTED TO THE
JOINT REVIEW PANEL

18 May 2022

1. Introduction

Northwatch is a public interest organization concerned with environmental protection and social development in northeastern Ontario. Founded in 1988 to provide a representative regional voice in environmental decision-making and to address regional concerns with respect to energy, waste, mining and forestry related activities and initiatives, we have a long term and consistent interest in the mining sequence and its social and environmental costs and benefits, including mineral exploration, mine development, operation and closure, and metals processing.

We have had an active interest in the Marathon PGM project since approximately 2001, when Northwatch first assembled an inventory of mining activities and issues in the Lake Superior basin and has participated in the environmental assessment of the Marathon Platinum Group Metals and Copper Mine Project since its commencement including throughout Phase I and the public review of the conformity of Stillwater's EIS with the EIS guidelines in Phase II, and again in this "Phase III", the restart of the review in 2021 and the review hearing in 2022.

2. Final Comments

We noted two themes have run through the hearing phase of this review of Generation PGM Inc. (GenPGM) proposed Marathon Palladium Project: uncertainty and ambiguity. Our assessment at this point is that if the project is approved even with the great degree of uncertainty associated with so many aspects of the mine and its operations and impact it will be as a result of the failure of the regulatory system overall rather than the result of a successful application or mine proposal on the part of Generation Mining. These comments are a critique of the broader regulatory system, not on the good work done by the review panel since their appointment. We wish to thank and commend the Panel for their diligence and the dedication shown to their role as independent adjudicators during this review.

Because of very limited capacity and having made commitments to other work areas prior to the re-commencement of this review, Northwatch has not been able to engage in this review to the degree that the project and its potential for adverse impacts warrants. This is a matter of genuine

regret, but inalterable under this circumstance of a mine review being resurrected and put back into motion after several years hiatus and with relatively little advance notice

In a summary fashion, Northwatch wishes to provide final comment on the following areas:

Purpose for the Project

Generation Mining, the Town of Marathon and some other intervenors have pitched the project and the need of the project as an important source of critical minerals needed to fuel the transition to a lower-carbon economy, and as source of minerals necessary for the digital age and for renewable power projects, etc.

As established during the hearing, there are two basic facts which undermine this rationale, the first being that Generation Mining gives no credit in its estimations for the recycling and reuse of critical minerals that are already in circulation, and – equally important – Generation Mining has made no commitment to processing these minerals in Ontario, or even in Canada¹

The argument Generation Mining makes about the need for Canadian supply, and the issues around PGMs being “sourced from countries with well-known geopolitical and/or developmental issues, including Russia” carries no weight when it is not accompanied by a commitment to process the minerals not only in Canada, but in northern Ontario. Related to this, it is perplexing that the Town of Marathon are such fierce advocates for the project, but are silent on the point of processing, the lack of a value-added strategy, or a just-transition planning approach to follow mine closure.

Work Force Accommodations

While the issues around workforce accommodation and the potential threat to local women – including and particularly Indigenous women – was raised on multiple occasions, we found nowhere in the evidence a response from the proponent that set out a) acknowledgement of these risk factors for women, or b) a commitment to addressing them.

¹ Vol 1, p 1.32

Cumulative Effects

Several intervenors – including Northwatch, Citizens for Responsible Industry in Northwestern Ontario (CRINO), and government agencies – set out concerns and critiques of how Generation Mining has – or has not – addressed cumulative effects as part of this assessment process. In the course of the hearing, we observed that this set of criticisms became more detailed but was in no way resolved.

Additional Issues

Numerous other issues were raised, explored and in the course of the hearing remain unresolved which are of great concern. These include:

- The inadequacy of baseline data on local environments and questions about the reliability of the data presented by the proponent were recurring issues; these were expressed in multiple instances, including but not limited to questions around bioaccumulation in fish, impacts on Lake Sturgeon, population-level health of caribou, the downstream impacts of mine reagents, and the impact of other and additional various stressors brought on by the mine (including impacts to air, noise, and to aquatic environments)
- The lack of binding commitments to mitigation measures
- The absence of clear triggers for either mitigation measures or a halt to operations when environmental impacts exceeded those predicted or exceeded acceptable levels of impact
- We were unable to identify in the evidence the necessary clarity around discharge points; incredibly, the question as to whether effluent is going to be discharged to Pic River or directly to Lake Superior is outstanding; we further note the “potential conflict” between planned mine discharge and Lake Superior Management Plan, as raised by the Ontario Ministry of the Environment, Conservation and Parks
- The need for independent Indigenous and/or citizen led monitoring and oversight was raised on multiple occasions, but there has no commitment to that approach by the proponent
- Generation Mining has not presented a detailed closure plan; closure planning is fundamental to mine planning, and in the absence of a detailed closure plan that has been subject to the scrutiny of both the review panel and review participants, the proponent

simply does not have the basics of a mine proposal and the review panel does not have the basis to provide an approval

- The potential impacts on caribou, the noted questionable accuracy of the data on caribou and the lack of accurate data on caribou habitat connectivity constitute at least a hold-point in the review process; the Panel cannot go beyond the current point in their decision-making processes without that information, unless it is to reject the project or defer deciding on the project until the information is made available

5. Conclusions

As Northwatch and other review participants have identified there were information gaps and missing information items and analysis in advance of the hearing. These remain outstanding.

As the hearing concludes, it remains our assessment that Generation Mining has not presented a case which the Joint Review Panel can approve.