August 2, 2019

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: HCS/111/2019]

On July 29, 2019, the Department of Health and Community Services (the Department) received your request for access to the following records:

“I am requesting copies of response letters / emails / communications - to an email sent out from Eric Watton to various Government Department Representatives acting as or on behalf of the "EA Screening Committee" regarding a Project titled "Marathon Gold Project" "Proponent: Marathon Gold Corporation" with a heading "Re: Registration 2015". This email was sent out to members of the EA Screening Committee on April 16-2019 with a form to be filled out and returned to EAProjectComments@gov.nl.ca by May 07-2019.”

I am pleased to inform you that a decision has been made by the Department to provide the requested information. The Act requires us to provide an advisory response within 10 days of receiving the request. As this request has been completed prior to day 10, this letter also serves as our Advisory Response.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the Access to Information and Protection of Privacy Act (the Act). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL. A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information
Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact the undersigned by telephone at 709-729-7010 or by email at MichaelCook@gov.nl.ca.

Sincerely,

Michael Cook
ATIPP Coordinator
/Enclosures
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45 (2).
Hello Eric,

Please see the attached comments from HCS.

Thanks,
Douglas

**Douglas Howse**  B.Sc., B.A.Sc., CPHI (C)
Manager of Environmental Public Health
Public Health Division
Department of Health and Community Services
Tel: (709) 729-3422
TO: EA Screening Committee

RE: Registration 2015

Title of Project: Valentine Gold Project
Proponent: Marathon Gold Corporation

The proponent is proposing to develop a gold mine approximately 55 kilometres southwest of Millertown in the central region. The project includes four potential mining deposits: Leprechaun, Sprite, Marathon, and Victory. Standard surface mining techniques will be used in open pit construction and operation. The project will involve waste rock disposal piles; crushing and stockpiling areas; heap leach processing; conventional milling; processing facilities; and tailings management areas. It will require personal accommodations and supporting infrastructure including roads; power lines; buildings; and water and effluent management facilities. The construction period is expected to last 18-24 months followed by an estimated mine operation life of 13 years. The project will operate 24 hours per day, seven days a week on a 12-hour shift basis.

The undertaking was registered on April 16, 2019; the deadline for government agency comments is May 7, 2019; the deadline for public comments is May 21, 2019; and the Minister’s decision is due by May 31, 2019.

The registration is 14 MB and may be too large for some email recipients. Please visit the project home page to view the document. GIS files were provided with the submission and are available upon request.

The Opinion Request Form (ORF) and the Comments Form are attached. Please submit the ORF (electronically) and Comments Form (as a word file) to:

EAPProjectComments@gov.nl.ca by the May 7, 2019 deadline.

The EA Coordinator for this project is Eric Watton, (ericwatton@gov.nl.ca; 729-0834).

The Project information will be available online following announcement in the EA bulletin: https://www.mae.gov.nl.ca/env_assessment/projects/projects_under_review.html.

Thank you.
Eric Watton, M.Sc.

*Environmental Scientist (Environmental Assessment)*

Department of Municipal Affairs and Environment
Environmental Assessment Division
PO Box 8700, St. John’s, NL, A1B 4J6
Direct Line: (709) 729-0834
EA Director: (709) 729-0673
OPINION REQUEST FORM

DATE (yyyy/mm/dd): 2019 / 04 / 30  

NAME & AGENCY:
Douglas Howse  
Department of Health and Community Services

RE: Valentine Gold Project  
BY: Marathon Gold Corporation  
AT: 55 km southwest of Millertown, Central Newfoundland

Please check one of the following: (Record comments on attached sheet)

- [ ] a) An Environmental Impact Statement is recommended.
- [ ] b) An Environmental Impact statement may be required and an Environmental Preview Report is recommended.
- [ ] c) The Undertaking may be released from environmental assessment.
- [ ] d) Recommend undertaking be rejected due to unacceptable effects.

ENVIRONMENTAL ASSESSMENT COMMITTEE NOMINATION:

Please complete the appropriate section:

- [ ] 1) I nominate Douglas Howse to represent this department on an Assessment Committee if one is needed.

- [ ] 2) I do not think it is necessary for this Department to be represented in this case and therefore will make no nominations.

Screening Representative: Douglas Howse  
Deputy Minister: Karen Stone

NOTE: OPINION IS DUE ON May 7, 2019  
P.O. Box 8700, St. John's, NL, Canada A1B 4J6 Tel: 709-729-0673 Fax: 709-729-6969
Registration # (2015 - Valentine Gold Project)

COMMMENTS:
What are your agency’s regulatory requirements relevant to this proposal?

- The Sanitation Regulations under the Health and Community Services Act only apply to the design and construction of sewage disposal systems with daily sewage flows under 4546 litres per day. Given the scale of the project, the sewage disposal system for the site will likely fall under the authority of the Water Resources Act, which would require engineered drawings. Service NL approval is required prior to construction.

- The Food Premises Regulations under the Food Premises Act would apply to any food preparation facility associated with the work site, and therefore Service NL approval must be obtained prior to construction and operation.

Provide details of any additional information that you require on the proposal and/or the environmental planning of the proposal.

- The project proposal lacks information related to the following:
  - Construction specifications for hazardous chemical storage facilities;
  - Construction specifications for accommodations for up to 466 people;
  - Proposed methods to prevent erosion and acid drainage from waste rock piles;
  - Proposed plan for dealing with any naturally occurring radioactive materials (NORM) in the mined ore;
  - Proposed environmental monitoring plans for groundwater, soil and effluents;
  - Decommissioning plans, including plans to deal with any hazardous materials following the mine’s lifecycle;
  - Results of formal consultations with local residents, indigenous groups, cabin owners, and business owners.

Does your agency require that the proponent conduct original environmental or impact research before proceeding with this proposal? If so, provide details.

- Given the potential human health impacts and the lack of information regarding mitigation measures, it is recommended that the proponent complete an Environmental Impact Statement (EIS) based on the guidelines to be developed by an interdepartmental assessment committee. The EIS should include plans for enhancing any potential positive impacts as well as plans for mitigating any potential negative impacts.

Additional comments based on your experience and expertise, but not directly related to your agency’s mandate.

- The Valentine Gold project could impact many determinants of health, including:
  - Lifestyle and behaviour – Boomtown effects may increase substance use and other risky behaviours for workers and local residents. Residential employment may impact the mental health and wellness of employees.
  - Environment – Blasting, the operation of heavy equipment, and other mining activities will create dust, increase noise, potentially release waste and other toxic materials into the environment, and impact the landscape which could impact the hydrogeology for the local area.
Built environment – Increased traffic along forestry roads could create safety issues for hunters and cabin owners in the area.

Social determinants – Increased employment could boost social connectivity and self-esteem of local or nearby residents.

Child development – Long hours and durations of employment could impact family life for mine employees.

Economic development – Increased employment will likely improve the economic condition for the region. However, long work hours under potentially dangerous conditions could have a negative impact on employees.

Food security – Access to country foods will likely be impacted with greater access to forestry roads, as well as noise generated from the mine.

Transport – Increased transportation of dangerous materials on provincial highways and forestry roads could impact road safety. Access to the project area by a single forestry road could put workers in danger during flooding or forest fire events.

Education – Increased demand for mining tradespeople and heavy equipment operators could boost education opportunities for the region.

Housing – While accommodations are proposed for the project site, there may also be an increased demand for housing in nearby communities, which could drive up residential prices. Proposed accommodations for the project site should be designed to minimize the potential transmission of disease and support employee wellness.

Accessibility to public services – The boomtown effect could increase demand for health and community services for the region. Workplace emergencies could also put a strain on regional emergency services.