

## BRIEF PRESENTED TO: HEARINGS REGARDING LOUISIANA PACIFIC'S:

"Request to Amend Manitoba Environmental Act - Lic. 1900 - 54"  
 July 28-30. 2009. At: Swan River, Mb.

From: Murray Wenstob  
 Box 42  
 Swan River, MB. R0L 1Z0

EXHIBIT NUMBER: \_\_\_\_\_

File Name: \_\_\_\_\_

Date: \_\_\_\_\_

Received by: \_\_\_\_\_

(Commission Secretary)

I have read the LP application for RTO removal and increased emission limits for toxic pollutants very carefully. I have listened very intently, on the first day a hearings, to both the submissions of LP and the submissions of members of the concerned citizens group.

LP presented what appeared to be an air tight case for RTO removal, until I heard the concern citizens submission. Both were well documented and based on 'good' science. Which 'science' should I believe? All this leads to the obvious conclusion that the present format of no questions or clarifications except by the panel does not fulfill the real purpose of these hearings.. Essential and pertinent information does not come out. I'm sure that LP would have like to ask some concerned citizen presenters to clarify or support some of their remarks and visa versa. Vital questions like:

- If LP's toxic limits are so far below provincial limits as their graphs show, why then are they asking for increased limit?
- Why are toxic chemical emissions not expressed in yearly totals (tons) rather than hourly concentrations, by LP? Environmental limits are commonly expressed in tons.
- Do members of the concerned citizens see some acceptable changes in LP's operation since the time of the Dawson Creek documentary?
- Why would LP through its lawyer attempt to prevent the panel and the public from hearing information it felt was detrimental to the LP cause?

Despite the limitation of this process, and the hope that your panel will recommend a fully environmental review in fairness to both LP and the public, I would make some additional observations of the LP application which is under review.

The request from Louisiana Pacific for permission to remove RTO,s from their Swan Valley plant and for approval to allow higher levels of the resultant toxic pollutants is the focus of this brief. The reasons LP gives for the requested amendments are:

- removal of the RTO's will reduce operating and maintenance costs.
- there will be a negligible effect on human health and environment from the increased toxic chemicals emitted when RTO's are removed
- removal of the RTO's will eliminate tremendous amounts of green house gases namely CO<sub>2</sub>, presently emitted from the plant.

All the above reasons sound plausible and are supported by the company's economic and scientific (consultant) studies.



However, the amendment application requesting RTO removal and increases in allowable toxic chemical levels, while spelling out the LP reasoning, fails to address or place any focus on a number of important areas relevant to any amendment decision. These areas and focuses are:

(i) A primary focus in all discussions and scientific studies relating to RTO removal must be the indisputable fact that toxic pollutants, cancerous and non cancerous, are being emitted 24 hours a day from the Swan Valley OSB plant. All parties, LP, government, and the public are in agreement of this fact. Only common sense is needed to realize that burning the bark from 1000 cords of poplar each day plus the huge amounts of heated glue chemicals, all on one site, are bound to produce toxic pollutants

(ii) The requested amendment contends that there will be a negligible effect on human health and environment if the RTO's are removed and the pollution limits raised to accommodate the resulting rise in toxic chemicals. This contention is based on scientific studies. The mistake we make is to accept scientific studies at face value as the final answer rather than seeing them as a valued resource to assist us in making more reasoned and reliable decisions.

The scientific studies used by LP to arrive at their conclusions of 'negligible health and environment' effects failed to address questions such as:

- Will there be long term accumulations of these toxic chemical in air, soil, surface water, ground water or water sheds?
- What assurances are there regarding long term effects on human health?
- Is there any known relationship between the kind of toxins emitted from the OSB plant and asthma, allergies and respiratory diseases that are on the increase?
- Are the present air monitor devices of sufficient numbers and in the right locations to gather reliable data?

Such questions point to the fallacy of making decisions that affect health and environment solely on limited scientific data and models. There are numerous examples (McMurray Tar Sands, Hydro flooding of Southern Indian Lake, Flin Flon, Lake Winnipeg, etc. see Addendum #1) of scientific studies being inadequate, short sighted, costly and irreversible. Science is indeed a valued resource but not a final answer.

(iii) The contention that removal of the RTO's is essential to the economic viability of the Swan Valley plant is based on a short term view. Does not a reputable company like LP at profitable times look 'long term' to the possibility of market down turns and future maintenance and capital needs rather than cutting pollution controls to balance the books? The amendment request also fails to mention past profits, the comparable cost of wood to the Swan Valley plant or the effect of changing market allotments to the various LP plants. A reliable economic contention that RTO's should be removed must have far deeper research than just pointing to a weak market and undocumented competition from other plants.



(iv) Look carefully at the 'Benefits' section (page 6) of the amendment application. It states that "[RTO's] produce tremendous amounts of CO<sub>2</sub> (the primary GHG)" The Benefits section goes on to quantify these tremendous amounts as "0.92% ..... [of] Manitoba GHG emissions from stationary combustion sources for manufacturing industries" This is very misleading because the normal expectation would be for this percentage to be calculated on and related to Manitoba's current GHG emissions. Instead it is calculated on a very select and limited number of Manitoba polluters. If LPs CO<sub>2</sub> emissions were calculated against Manitoba's current CO<sub>2</sub> emissions it would be less than one tenth of the 0.92%. Would this a 'tremendous' amount when seen in true perspective? Nor is this an amount that even comes close to being as the report says, a significant 'trade off' for increased VOCs. The trade off argument does not stand up.

#### CONCLUSION:

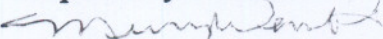
The L.P. request to remove the RTO's is based on scientific studies and reasons relative to their wish for a more economical plant. However it fails to address facts and reasons relative to wider and longer range effects to human health and environment, such as:

- the current and historical evidence that scientific studies have often been short sighted and flawed;
- economic decisions supporting the requested amendment are based chiefly on the present economic climate which is unique, and fails to address past buoyant economic times or to even mention the economic advantage of low stumpage rates for the Swan Valley mill;
- There is a skewed view of CO<sub>2</sub> emissions in that they are compared, not as one would expect, to Manitoba's current CO<sub>2</sub> emissions but compared to a very small, select group of polluters, thus producing a very questionable conclusion.

In light of the facts presented in this brief as summarized in the previous paragraph, eliminations of the RTO's should not be permitted until there is a full Clean Environment Commission hearing where all relevant facts can be presented and examined. Just relying on LP consultants and figures is not nearly enough to decide human health and environmental issues that may have long range and costly effects.

A decision by this panel and government regarding adding toxic pollutants to our air, soil, water and bodies must not rely only on proof that the LP mill is doing this, but conversely and equally on proof that the mill is not doing this. As a result, if one is to err, it would be well to err on the side of safety - and retain the RTO's.

Respectfully submitted



Murray Wenstob

Box 42

Swan River MB. Rolizo

Telephone: 204-734-2039



## ADDENDUM #1

Some examples of science, modelling and consultants being inadequate/short sighted/superficial are:

(i) **FORT MCMURRAY:** science claims that effluent from tar sands operations going into the Athabaska River does not affect human health. Down stream communities are reporting increases in cancer and fish abnormalities. There is no empirical proof that tar sand effluent is the cause of these problem but neither can science proved that the effluent is not the cause.

(ii) **FLOODING OF SOUTHERN INDIAN LAKE:** Hydro consultants (science) saw no great physical problems in flooding Southern Indian Lake. After flooding, 80% of the whitefish were inedible due to mercury pollution. Scientist could not find the cause until a Russian study revealed that flooding causes a leaching of natural mercury from the soil - clearly an instance of hurried, inadequate science..

(iii) **SUSTAINABILITY OF DUCK MT FOREST:** As pointed out by recent consultant studies the amount of wood that could be harvested to maintain a sustainable supply was grossly over estimated by 'people' who should know. What was the cause of this mistake?

(iv) **TAILINGS FROM URANIUM MINES IN SASKATCHEWAN:** These mines were allowed to produced huge piles of toxic tailings, while science assured government and the sparce residents that no harm would come. We are now aware of the costly cleanup required to correct this problem 'overlooked' by science.

(v) **LAKE WINNIPEG POLLUTION:** Which science study does a person believe, regarding the algae formation on Lake Winnipeg ? Is it the lack of Spring water flow restricted by the Grande Rapids Dam; is it agricultural fertilizers; is it hog barns; is it up stream effluent from the Red River ? Does science really know?.

Science, a wonderful resource but not a final answer.



In LP's amendment application in the last paragraph on page 22, LP states that due to costs and the current market ... "it is highly conceivable that the Swan Valley OSB plant would shut down indefinitely".

This sounds very much like a threat, because the application refers over and over again to the presence of the RTO's as being the main cost factor. If we don't get permission to shut them down permanently we will have no alternative but to close the plant. Such a closure would force the Manitoba government to act. With workers and contractors out of work and our provincial resource, wood, not being processed, their only alternative would be to take back LP's cutting rights, as LP would not be living up to its agreement and using them. Then, like Premier Danny Williams of Newfoundland, the government could award the cutting rights in the provincial forest to another company capable of operating in a reliable, profitable way.

Hopefully, such a situation as LP, despite their threat, closing down, or government repossessing the forest harvesting rights will not occur. In such a case everyone has hardships; workers, contractors and shareholders. Nobody wins.

It is important that both the Clean Environment panel in its recommendation and the government in its actions be aware of the above possibilities but not be guided by them or by political considerations. Health, environment, and long term vision are the wise components of a just decision..