

COUNCIL REPORT

M&C No.	2019-124
Report Date	May 14, 2019
Meeting Date	May 21, 2019
Service Area	Corporate Services

His Worship Mayor Don Darling and Members of Common Council

SUBJECT: Letter to the Provincial Government (Department of Environment and Local Government) regarding the renewal of AIM Recycling's Operating Licence

OPEN OR CLOSED SESSION

This matter is to be discussed in open session of Common Council.

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	City Manager
<i>Neil Jacobsen, City Manager's Office</i>	<i>Jacqueline Hamilton, Growth & Community Development Chief Kevin Clifford, SJ Fire Department</i>	<i>John Collin</i>

RECOMMENDATION

It is recommended that Common Council approve the Letter as per **Attachment A** for release to the Provincial Department of Environment and Local Government.

EXECUTIVE SUMMARY

The City of Saint John continues to have concerns with respect to AIM Recycling's ability to comply with their Provincial operating licence, including a range of public safety and environmental issues. Of particular concern is the severity and frequency of recent explosion events in close proximity to a number of Uptown and West Side residential and commercial neighbourhoods and key tourism assets, as well as on-going noise, air and water emissions from the plant.

As the deadline for renewing AIM's operating licence rapidly approaches (June 2019), staff felt it important that the City provide in writing to the Province our primary concerns with respect to the AIM facility.

PREVIOUS RESOLUTION

N/A

REPORT

The City of Saint John continues to have concerns with respect to the location of AIM's metal crushing facility within close proximity to local residential neighbourhoods. Council and staff have received on-going feedback from citizens who have indicated that the recent explosion events have had a traumatic impact on them personally and their families, including reports of potential property damage. It remains the view of the City of Saint John that the metal shredding operation should have been located in one of the City's industrial parks, with Port operations limited to the handling of processed recycled metals for shipping. This is also a similar approach as used by AIM in other North American locations, including their crusher operations in Montreal and Quebec City. At a minimum, given its location on our City's Inner Harbour waterfront in close proximity to urban neighbourhoods, there should be measures implemented to mitigate and monitor the socioeconomic impacts of the AIM facility and operations on the surrounding neighbourhoods, including measures to contain and visually screen the operations and monitor the on-going impacts of the operation on property assessments in close vicinity of the site.

Our understanding is that there is an interim Provincial operating permit in place, issued by the Department of Environment and Local Government (ELG), that includes a number of stringent new operating conditions designed to mitigate explosion events on a go-forward basis, including enhanced monitoring of in-coming scrap materials (both at AIM and at the originating scrap metal yards). Our view is that the operation should not be provided with a permanent renewal of its licence until it is clear that the new operating and inspection conditions are being fully adhered to (i.e., 100% compliance). Given recent events, we also believe that it would be in the Province's best interest in terms of citizen protection and transparency to provide regular public updates with respect to the facility's current operating requirements and AIM's compliance with respect to these requirements.

It is also our understanding that there is enhanced environmental monitoring / enforcement activities currently taking place specific to AIM's Saint John plant and facility, including sound, air and water quality monitoring. It is our recommendation that ELG should undertake a full and independent environmental audit of AIM's compliance with their interim permit to operate before considering an extension or permanent renewal of the permit to operate. We would also respectfully request that the outcomes from all environmental monitoring and compliance activities in relation to the AIM facility be made available to the community and public.

As requested by ELG, the Saint John Fire Department is preparing to move forward with a risk assessment of the AIM facility and operations. The risk assessment will focus on the impacts introduced to the community associated with the facility, and what can be done to mitigate these impacts to an acceptable level. It remains our view that this work needs to be completed

and shared with the Port Authority and community before AIM's licence to operate is permanently renewed.

Finally, we appreciate the Province's commitment that the City and community be offered a mechanism to provide input into the renewal of the company's permanent operating licence in 2019. As part of the operating license renewal process, the City request that the Province impose requirements with respect to ongoing community engagement and reporting going forward to improve relations with the community and ensure improved transparency regarding AIM's operations.

STRATEGIC ALIGNMENT

Our concerns regarding the AIM recycling facility in Saint John are premised on two key Council Priorities: **Vibrant, Safe City** and **Growth & Prosperity**. It is essential that we do everything possible to ensure that Saint John is recognized by its residents and citizens as a positive place to live, work and play. Our ability to grow our community and attract new people and investment requires a healthy coexistence between unique, livable neighbourhoods that coexist with commercial and industrial activities.

Unfortunately, we do not currently have a healthy coexistence, with disruptive heavy industrial activities and explosion events taking place within the heart of our City and Inner Harbour.

SERVICE AND FINANCIAL OUTCOMES

Recognizing that the City of Saint John has absolutely no regulatory or land use planning authority with respect to the AIM facility and Port operations in general, AIM's presence within the City's urban core impacts the overall sustainability and livability of our Uptown and Inner Harbour neighbourhoods (one of our region's key emerging growth catalysts).

The status and operation of the AIM facility also continues to be a key area of focus and discussion (and concern) with developers and investors that are working with the City and DevelopSJ with respect to a range of Uptown and Inner Harbour property and real estate development projects.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

City staff recently met with AIM officials and toured their operations located on the Port of Saint John. Staff have also had regular meetings and discussions regarding AIM's Saint John operations with the Port of Saint John and representatives from the Provincial Department of Environment and Local Government. Staff have also had discussions regarding this file with DevelopSJ.

ATTACHMENTS

- A. Draft Letter to the Provincial Government (Department of Environment and Local Government) regarding the renewal of AIM Recycling's Operating Licence