

May 21, 2019

The Honourable Jeff Carr,
Minister of Environment and Local Government
Province of New Brunswick
Marysville Place
P. O. Box 6000
Fredericton, NB
E3B 5H1
Canada

Dear Minister Carr:

First of all, I would like to express our appreciation to you and the senior staff at the Department of Environment and Local Government (ELG) with respect to your efforts to proactively inform and engage the City of Saint John over the past number of months regarding operational issues and unplanned explosions at the AIM Recycling facility. As you are aware, the facility includes an industrial metal shredder operation and material storage and laydown area located within the City's Inner Harbour on Federal government lands operated by the Saint John Port Authority.

As discussed with AIM representatives during a recent site visit on April 17th and with senior representatives from your Department on May 2nd, we continue to have concerns with respect to the company'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. By way of example, during our recent AIM site visit staff confirmed that they experienced an explosion and fire event earlier in the day in their metal shredder and conveyor belt operation.

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

1. The City 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.

2. Our understanding is that there is an interim Provincial operating permit in place (issued by 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.
3. 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 general public.
4. 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.
5. Finally, we appreciate the Province's commitment that the City and community be provided with a mechanism to provide input into the renewal of the company's permanent operating licence in 2019. Could you provide additional detail as to how the operating permit renewal process will be moving forward (process, timelines, public / stakeholder input), and how and when local residents, businesses and the Port community will be able to provide formal feedback? As part of the operating licence 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.

We remain appreciative of ELG's recent interventions and due diligence with respect to the AIM facility in Saint John, which has a significant impact on Port operations and 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.

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, we look forward to continued engagement and cooperation with the Province of New Brunswick and Saint John Port Authority regarding the specific issues identified in this letter.

We will also be raising our concerns and issues on a more proactive basis with representatives from the Government of Canada.

Sincerely,

Don Darling,
Mayor

c.c. The Honourable Marc Garneau, Minister of Transport, Government of Canada
Wayne Long, MP, Saint John - Rothesay
Lisa Keenan, Chair, Board of Directors, Saint John Port Authority
Jim Quinn, CEO, Saint John Port Authority
Kelli Simmonds, Deputy Minister, Department of Environment and Local Government, Province of New Brunswick
John Collin, City Manager, City of Saint John
Kevin Clifford, Fire Chief, Saint John Fire Department
Jacqueline Hamilton, Commissioner, Growth and Community Development, City of Saint John
Steve Carson, CEO, DevelopSJ
Scott Amirault, Site Manager, AIM Recycling Saint John