

March 11, 2023

Clean Environment Commission
305-155 Carlton Street
Winnipeg, MB R3C 3H8

EXHIBIT NO. 11-027
File Name: Gloria Romaniuk v. Me
Date: 3-11-23
Received by: _____
(Commission Secretary)

Public Hearing File 6119.00

Sio Silica (formerly CanWhite; formerly HD Minerals; formerly 1993502 Alberta Ltd; formerly 1824455 Alberta Ltd)

Honourable Minister of Environment, Climate and Parks, Kevin Klein; Clean Environment Commissioners; Participants; Proponent; People of the RM of Springfield and surrounding municipalities who are impacted by the Sio Silica proposal:

I thank you for the opportunity to bring a summary to you today during this oral presentation of my observations and concerns. My family is impacted by this proposal. We are guests on Treaty 1 territory, in fellowship with the Anishinaabe, Cree, Oji-Cree, Dakota, and Dene People, whose traditional lands we are discussing, as well as this, the homeland of the Métis Nation. I am personally opposed to the proposal brought by Sio Silica to the Rural Municipality of Springfield. I have shared a written submission with the Commission and today wish to present this oral version.

Immigrants were welcomed to Canada to open the West. There were settlement requirements. Pioneers came as a village from Ukraine to Mountain Road, Manitoba. My family came in 1898. Whose land was it in 1898?

94 Calls to Action of The Truth and Reconciliation Commission in 2015:

https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/indigenous-people/aboriginal-peoples-documents/calls_to_action_english2.pdf

Empty Land or No Man's Land: https://en.wikipedia.org/wiki/Terra_nullius

Doctrine of Discovery:

<https://www.cccb.ca/wp-content/uploads/2017/11/catholic-response-to-doctrine-of-discovery-and-tn.pdf>

There are three points there. **Points # 1-3:** First the colonizers those many hundred years earlier had no right to the resources upon which they grew wealthy. Second: the land *had been occupied*; no matter what controlling principles prevailed at the time of settlement, the facts are no different now or then – the land had been occupied. Third: there comes a time when you must take ownership of your natural resources in order to protect them and safeguard your future. You need to safeguard your future. So we are looking here at metaphors of natural resources, ownership and protection of human rights.

One of the laws which evolved with government since Manitoba joined federation in 1871 is the claim to mineral rights. The Mines and Minerals Act, in force since Feb 26, 2022, is available at this link:

<https://www.canlii.org/en/mb/laws/stat/ccsm-c-m162/latest/ccsm-c-m162.html>

The pattern of promises written and promises abandoned can be applied to the modern day.

There is no way to redress deprivation of the basic rights to clean air and clean water. Why on earth would we want to risk making the same mistakes that were made 150 years ago? The RM land has been staked by Sio



Silica: now the water and air are on the auction block? Impossible! Water and air are priceless. There is no price imaginable. Water and air cannot be bought; they cannot be sold. They belong to all. Water and air are not the property of the privileged. *Terra nullius* has been firmly rejected as a baseless and backward policy. The land is occupied; the occupants rely upon the water and air as basic human rights.

Point # 4: The mining of sand and water through pristine aquifers cannot continue to be considered a legal use of resources. The water flows through miles and miles of land which is shared by families, farms, businesses, schools, medical centres, the hog industry, etc. The people have the right to clean and safe water and air. They do not own the water or air anymore than the First Nations owned Canada in 1871. The precept is false.

Property ownership of Canada's natural resources, including its water and air, is a rationale. For example, what can we learn from man-made disasters? Here are three that effect natural resources and the Common Good:

Fukushima Tsunami and Nuclear Disaster 2011: "cannot be regarded as a natural disaster," the NAIC panel's chairman, Tokyo University professor emeritus Kiyoshi Kurokawa, wrote in the inquiry report. "It was a profoundly man-made disaster – that could and should have been foreseen and prevented. And its effects could have been mitigated by a more effective human response." [400] "Governments, regulatory authorities and Tokyo Electric Power [TEPCO] lacked a sense of responsibility to protect people's lives and society," the Commission said. "They effectively betrayed the nation's right to be safe from nuclear accidents. [401]"

Deepwater Horizon Disaster 2010: Every finger in the pie expected to make money.

Birds and fish and animals of every description in this tropical zone, this zone gifted as a paradise, found themselves in a misery that never should have been. Livelihoods were decimated and suffering prevailed. Who cared? "Who cared" is a story for another day.

Did the proponents see the risks as falling upon themselves? Who was assigned to bear the risks for the Deepwater Horizon disaster? Well, the pelican surely bore the risk. The fishermen did. The towns did, the coastal bio-systems did, all the creatures in the Gulf of Mexico did, one way or another. Is the disaster over? Can the "largest oil spill ever" be considered over? Uh, no.

The WALKERTON WATER DISASTER, 2000 (made in Canada!)

<https://soapboxie.com/social-issues/The-Walkerton-Incident>

Point # 5: Who will bear the risks so that Sio Silica has the privilege of attempting to gain profit? There is little to no likelihood Sio Silica will gain profits; the science they propose is weak and poorly substantiated. Please see Dennis LeNeveu, 30 January 2023, items 2 through 8. Sio Silica originally boasted its methods are experimental. They admitted that risks do exist. They have answers to questions. Do these answers bear scrutiny? Nothing I have heard or read answers the questions adequately. Here are my thoughts, supported by data:

1) Sand respects gravity. **Gravity is a law of Nature.** The shale and limestone will collapse in some areas, in many areas. Will it collapse in all areas? Please see Dennis LeNeveu, 30 January 2023, Item 6, Extraction Well Cluster Design, Limestone and Sand Pillar Stability; and, Item 8, Shale Aquitard Degradation.

2) Nature has a perfect system in place. There is a long trail in Nature's history to provide reason for absolutely everything that occurs naturally. Nature is meticulous in its efficiencies. What makes Sio Silica think that it is safe to tamper with the aquifer system, a system which has been established over eons?

Based upon my attendance at Municipal Board hearings in Anola in October 2022, and the Clean Environment Commission hearings this spring, I reject Sio Silica as the scientifically competent agent in charge. Three times I stood to question and comment on in October 2022. Three times I came away concerned that Sio Silica, did not have my safety in mind as it pursues its aspirations. Sio silica's concerns, as far as I can tell, are for its own success rather than for the *common good of those who live or work in Springfield*.

3) The onus is upon Sio Silica to convince the impacted parties that it meet every contingency to **standards... beyond risk** – we are talking beyond the promises made in Fukushima, the Gulf of Mexico, and Walkerton. Please see Dennis LeNeveu, 30 January 2023, item 6, Extraction Well Cluster Design, Limestone and Sand Pillar Stability.

Sio Silica must give the data, must do the work, must convince those whose life or death rely upon its diligence. So far, this diligence has not been demonstrated. Sio Silica has been presented with the steps it needs to improve its process and it has balked: it has insisted that what it has done is good enough. What it has done is not good enough. **Not when lives depend upon it.** Please see Dennis LeNeveu, 30 January 2023, Item 8, Shale Aquitard Degradation.

4) Stubborn resistance to scientific fact-based data will make no impact upon the way Nature will deal with Sio silica. Nature is perfect in its every requirement, its every bond and relationship. Nature does not spin a tale. It never will. **Nature does what Nature does.** It does the right thing, the only thing, according to its laws and principles. Laws and principles are not optional. If you are so inclined, you might call Nature miraculous. But just remember, it is also merciless. Please see Dennis LeNeveu, 30 January 2023, Item 4, Slurry line Contamination, with particular reference to the Winnipeg Aqueduct.

5) Mixing dissolved heavy metals with air after eons of anaerobic isolation invites cannot be part of the equation. If Sio Silica really believes there is no danger, provide the data that ensures **beyond a doubt** the chemical reactions will not poison the water.

Oxygen bubbles introduced into the disturbed aquifers will result in chemical change... Nature has no patience whatsoever for vague excuse. It will do the right thing, the only thing. Nature will be Nature, despite what anyone contends. Please see Dennis LeNeveu, 30 January 2023, Item 5, Process Water Treatment Options.

6) Establish an operational water treatment plant before the first spoon of silica sand is loaded onto the CN rail cars. Sio Silica can foot the bill.

7) Sio Silica says that the CNR Pension Fund is *a* main, or *the* main investor in the Vivian project. When the CN investment was made, how mindful were the decision-makers of the health and safety of the citizens of the RM of Springfield, some of whom of course, are currently employees of, or retired from, the CN? It is not clear if the Fund has openly announced the investment, but what logic and social responsibility could possibly guide the Regulator to approve such an investment? Both the Regulator and the Pension Fund administrators are open to scrutiny. They would need be prepared to insure the project, and by so doing build a water purification system to protect the municipality, would they not? Again, the risk is applied to the many, while potential financial gain applies to a privileged few.

8) What care, caution and understanding has Sio Silica undertaken to protect the delicate balance of biodiversity in the land it wishes to disturb and to penetrate thousands of times as it bores into the aquifers? The land is teeming with life. It is a relationship... It is inhabited, by creatures big and small. Sio Silica says the effects will be inconsequential, minimal. Let me ask this question in response: what effect would it have to drill five or seven boreholes in your own property, in the space where your children play, where your garden is, where you park your vehicle? Drill and patch it up. What effect would that have upon you, proponent, participant or presenter?

9) Sand is the perfect filtration system for the groundwater which the people of the RM depend upon. The soil is teeming with life. If Sio Silica has studied the biodiversity of the lands upon which they wish to scrape and tear down and bore into, where is their report? Journalist, Martin Cash says Sio's is a "charm campaign".

10) Manitoba is also exploring next steps towards remediation of abandoned wells in our province... The parliamentary budget officer has found the cost of cleaning up orphaned oil and gas wells in Alberta and Saskatchewan already dwarfs the money collected from industry to pay for it... But critics immediately called Yves Giroux's *estimated \$1 billion by 2025 price tag a massive underestimate*.

What is to say that Sio Silica, like companies before them, will not build the nightmare rather than the dream? What if they cannot fulfill their promises to adequately cap the thousands of wells they propose to drill in rapid succession? What if there is no water treatment plant in place and there is no plant willing to take their inevitable poisoned water overflow? Please see Dennis LeNeveu, 30 January 2023, item 5, Process Water Treatment Options.

Who wants poisoned groundwater? What if the aquitard does collapse and the water is contaminated from multiple boreholes? Sio Silica can easily shroud itself once again in a new name. (They went that-a-way. No disrespect intended: a simple 'likely scenario, based upon commonly observed practice in the industry'.) No money to cover costs, real or legal? Manitobans can pay. Whatever the nightmare scenario, Manitobans can pay.

Sio Silica's science is inadequate. The default position must be that they prove the project is safe. "The Hearing must not proceed until all the issues resolved in this compilation of disputes concerning the DLN-IRC requests for clarification have been resolved." Please see Dennis LeNeveu, 30 January 2023, item 9, Conclusion.

Otherwise, who pays for cataclysmic failure? No amount of money can replace the aquifers and all they support. As proven in **Fukushima, the Gulf of Mexico and Walkerton**, whether we have invited them in or struggled to keep them out, **we may have to pay**. Innocent or acquiescent, we may find **there is no mitigation for the destruction of aquifers that once supplied drinking water to thousands**.

Think this one through, friends. Because, remember, **Nature will show no interest whatsoever in the dream narrative**. With perfect intuition, **Nature will follow its laws and principles**. When violated, it will protect itself. As you should do. Protect the water and protect yourself, your children, your community. Do not stand by.

We have knowledge, but **we need wisdom**. Those who will be impacted must have a say. Sio Silica disputes scientific process, putting its energy into ads and persuasion rather than good science. Their promises come and go as through a revolving door. The water we drink and the air we breathe come only from natural process, produced by Nature. We share this planet with all other life forms, none to be disregarded in the **brilliant complex relationship**. All of us need clean air and clean water. **Water and air are basic rights**.

We know what it takes to survive. We have the knowledge to do all sorts of things, but what things should we do? Should we put a nuclear reactor on an island where earthquakes occur? Should we sink pipes miles down into the ocean and risk vast oil slicks? We do not know, in fact, how severe particular impacts may be. If we cannot mitigate, we need to pause. If we are willing to tamper, to interfere, to exploit, we must have the wisdom to ensure flawless exit. We must leave no destruction behind. **Leave no destruction behind**. And, famously, if we cannot turn back, we cannot take the road.

You know in your deepest heart of hearts what is right to do. And that is my final point. Do the right thing. Do not be fooled or led or manipulated. Nature will not stand for it. Refuse the poorly designed Sio Silica project.

I thank you for allowing me this opportunity to speak. I am humbled by the First Nations people who have endured so much for so long. It is only now that I understand to any degree at all what it is like to have someone want to take from you that which is absolutely precious for life – **the land, the air and the water!**

