



Liveable
Saint John

Community Impacts of the AIM Scrap Metal Facility

City of Saint John • Public Safety Committee

March 27, 2024

Why are we here?

Why are we here?

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About Us

Since 2017, Livable Saint John has promoted dialogue with community stakeholders, government, and local organizations to make neighborhoods healthier, more equitable, and more liveable for future generations.



Livable
Saint John

Why are we here?

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1. Given the complex legal and jurisdictional landscape, AIM could resume operations in the lower west
2. To summarize the risks to public safety from AIM on our community
3. To propose how the **City of Saint John can take a leadership role** in shaping the best possible outcome



Background

Background

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Jurisdiction

- Regulated by the Department of The Environment
- 40-Year Lease with the Saint John Port Corporation, signed in 2002
- Power supplied by Saint John Energy



Background

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Licensing and Legal Action

- Salvage Dealer license - **Revoked**
- Approval to Operate - **Suspended**
- AIM is suing the Province of New Brunswick, to squash the suspension of their **Approval to Operate**, issued by DELG
- Limited monitoring and enforcement resources
- Pending the outcome of this court case, there is a **risk of AIM reopening**

Court File No. **SJM-25-2024**

IN THE COURT OF KING'S BENCH OF NEW BRUNSWICK
TRIAL DIVISION
JUDICIAL DISTRICT OF SAINT JOHN

FEB 12 2024
COUR DU BANC DU ROI
SAINT JOHN, N.-B.
DÉPOSÉ / ENREGISTRÉ

BETWEEN:

**AMERICAN IRON & METAL COMPANY INC /
LA COMPAGNIE AMÉRICAINNE DE FER & MÉTAUX INC,**
Applicant,

- and -

**THE PROVINCE OF NEW BRUNSWICK as represented by
THE MINISTER OF ENVIRONMENT AND LOCAL GOVERNMENT,**
Respondent.

**NOTICE OF APPLICATION
(FORM 16D)**

**AVIS DE REQUÊTE
(FORMULE 16D)**

TO: The Respondent
The Province of New Brunswick
as represented by the Minister of
Environment and Local Government
c/o Office of the Attorney General
Chancery Place, Room 2078
Fredericton, NB E3B 1E9

DESTINATAIRE:
fer et métaux inc, présentera une requête à la
Cour du Banc du Roi à 10, plaza Peel, Saint
John, Nouveau-Brunswick, le _____
à _____ h _____ en vue
d'obtenir l'ordonnance décrite ci-dessous.

The Applicant, American Iron & Metal
Company Inc ("AIM"), will make an application
before the Court of King's Bench, 10 Peel
Plaza, Saint John, New Brunswick at
_____ a.m./p.m. on the _____ day of
_____ 2024, for an order as set out
hereunder.

If you wish to oppose this application you must
appear at the hearing of the application at the
place, date and time stated, either in person or
by a New Brunswick lawyer acting on your
behalf.

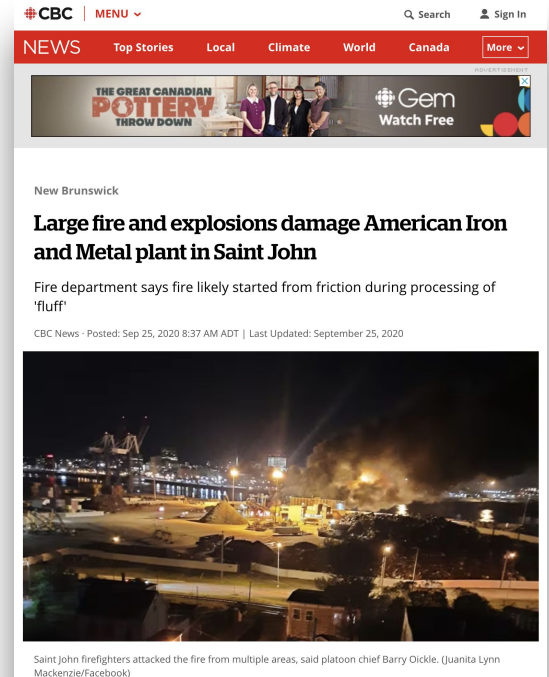
Si vous désirez contester cette requête, vous
devez comparaître à l'audition de la requête
aux lieu, date et heure indiqués, soit en
personne ou par l'intermédiaire d'un avocat du
Nouveau-Brunswick chargé de vous
représenter.

Background

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AIM: History of Hazards

- Since expanded recycling operations began in 2011, there have been **181 explosions** and **22 fires** at the recycling plant
- Shut down in 2018 following a series of explosions at the site.
- Fire in September 2020 caused significant damage and risk to first responders



The screenshot shows a CBC News article. The top navigation bar includes the CBC logo, a menu, search, and sign-in options. The main navigation bar lists categories: NEWS, Top Stories, Local, Climate, World, Canada, and More. Below the navigation is a banner for 'THE GREAT CANADIAN POTTERY THROW DOWN' with a 'Gem Watch Free' logo. The article title is 'Large fire and explosions damage American Iron and Metal plant in Saint John'. The sub-headline reads 'Fire department says fire likely started from friction during processing of 'fluff''. The article is dated 'Posted: Sep 25, 2020 8:37 AM ADT | Last Updated: September 25, 2020'. Below the text is a photograph of a large industrial fire at night, with bright orange flames and thick black smoke rising into the sky. The scene is illuminated by emergency lights and streetlights.

New Brunswick

Large fire and explosions damage American Iron and Metal plant in Saint John

Fire department says fire likely started from friction during processing of 'fluff'

CBC News - Posted: Sep 25, 2020 8:37 AM ADT | Last Updated: September 25, 2020

Saint John firefighters attacked the fire from multiple areas, said platoon chief Barry Dickle. (Juanita Lynn Mackenzie/Facebook)

Background

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Workplace Safety and Loss of Life

- Bruce Lagace lost his life on November 24, 2021.
- AIM has pleaded guilty in connection to the 2022 Saint John scrapyards death of Darrell Richards.
- The company has pleaded guilty to an unrelated safety charge at Point Lepreau in 2021.



Sept 14 Fire

Sept 14 Fire

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Community Impacts

- City-wide Shelter-in-place order due to hazardous smoke
- **\$219,000 in costs** related to fighting the fire
- Loss of gardens, cost incurred to rehabilitate soil
- Damage from toxins/debris on neighbouring property
- Environmental contamination and Health concerns

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New Brunswick

4 Saint John soil sites tested after AIM fire show higher than expected levels of metals, chemicals

Department of Health updates advice to gardeners as investigation continues

 Bobbi-Jean MacKinnon · CBC News · Posted: Dec 07, 2023 6:00 AM AST | Last Updated: December 7, 2023



Sept 14 Fire

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Joint Provincial-Port Task Force

The task force examining the fire that **burned for two days** at American Iron and Metal in Saint John says future fires at the scrapyard are likely, and "a catastrophic fire similar to that of Sept. 14, 2023, **could recur**." It also found that AIM's waterfront location, not far from hundreds of west side homes, is "**entirely inappropriate** given its now known hazards and risks."

- CBC News



Ongoing Community Impact

Ongoing Community Impact

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Environment

- Soil and water contamination
- Health risks from exposure to toxins
- Elevated risks without mitigation or ongoing testing
- Long term consequences
- Ongoing uncertainty about the extent of contamination and potential long-term consequences

Mercury: 30x Federal Guidelines*

Cadmium: 28x Federal Guidelines*

* Canadian Council of Ministers of the Environment

Table 1: Stormceptor Analytical Data June 2018

Parameter	Concentration (mg/L)			
	CCME Water Quality Guidelines for the Protection of Marine Aquatic Life	ESLs for Marine Aquatic Life	Stormceptor South WS1	Stormceptor North WS2
pH(unitless)	7-8.7	n/a	7.48	7.47
Total Suspended Solids	n/a ¹	n/a	14	30
Total Mercury (Hg)	0.000016	n/a	0.000033	0.00048
Total Aluminum (Al)	n/a	n/a	0.089	5.2
Total Antimony (Sb)	n/a	n/a	0.0015	0.0091
Total Arsenic (As)	0.0125	n/a	0.0022	0.0058
Total Barium (Ba)	n/a	n/a	0.069	0.17
Total Beryllium (Be)	n/a	n/a	<0.001	<0.001
Total Bismuth (Bi)	n/a	n/a	<0.002	<0.002
Total Boron (B)	n/a	n/a	0.13	0.21
Total Cadmium (Cd)	0.00012	n/a	0.0002	0.0034
Total Calcium (Ca)	n/a	n/a	72	90
Total Chromium (Cr)	0.056	n/a	0.0014	0.031
Total Cobalt (Co)	n/a	n/a	0.00042	0.006
Total Copper (Cu)	n/a	n/a	0.0055	0.12
Total Iron (Fe)	n/a	n/a	1.7	24
Total Lead (Pb)	n/a	n/a	0.0097	0.3
Total Magnesium (Mg)	n/a	n/a	18	37
Total Manganese (Mn)	n/a	n/a	0.15	0.49
Total Molybdenum (Mo)	n/a	n/a	0.0048	0.015
Total Nickel (Ni)	n/a	n/a	0.0029	0.029
Total Phosphorus (P)	n/a	n/a	0.34	0.54
Total Potassium (K)	n/a	n/a		

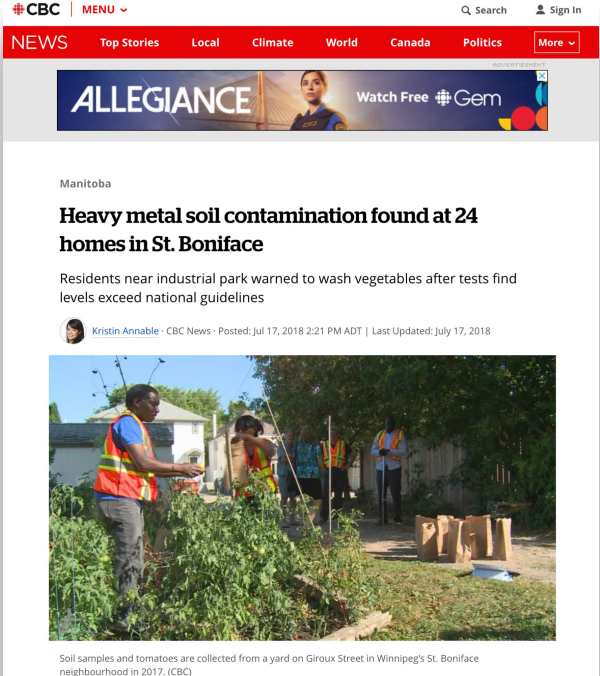
Ongoing Community Impact

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Health

- **Dust and Debris** - Ongoing complaints over years of operation about dust and debris covering property
- **Smoke and Contaminants** - Hazardous smoke produced during the fire, prompting health advisories.
- **Waste and Runoff** - Potential risks to human health from contaminants released into the environment.

St. Boniface, Manitoba
CBC News, July 17, 2018




The image is a screenshot of a CBC News website article. At the top, there is a red navigation bar with the CBC logo, a menu, and search/sign-in options. Below the navigation bar is a banner for 'ALLEGIANCE' with a 'Watch Free' button and the Gem logo. The article title is 'Heavy metal soil contamination found at 24 homes in St. Boniface'. The sub-headline reads 'Residents near industrial park warned to wash vegetables after tests find levels exceed national guidelines'. The author is Kristin Annable, and the article was posted on July 17, 2018. The main image shows several people in safety vests working in a garden, collecting soil samples and tomatoes. A caption below the image states: 'Soil samples and tomatoes are collected from a yard on Giroux Street in Winnipeg's St. Boniface neighbourhood in 2017. (CBC)'

Manitoba

Heavy metal soil contamination found at 24 homes in St. Boniface

Residents near industrial park warned to wash vegetables after tests find levels exceed national guidelines

Kristin Annable • CBC News • Posted: Jul 17, 2018 2:21 PM ADT | Last Updated: July 17, 2018



Soil samples and tomatoes are collected from a yard on Giroux Street in Winnipeg's St. Boniface neighbourhood in 2017. (CBC)

Ongoing Community Impact

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In other jurisdictions in North America, **cancer risks** associated with metal recycling operations have been studied and reported in the media.

“Depending on the yard, they estimated there would be between 7 and 600 extra cancers per million people, the latter a risk 600 times higher than what is acceptable to federal health scientists”

<https://www.chron.com/news/houston-texas/houston/article/Danger-in-air-near-metal-recyclers-4154951.php?t=1181ab585b>



The screenshot shows a news article from CHRON. At the top right, there are links for 'Newsletters' and 'Sign in'. Below the logo, it says 'NEWS | HOUSTON & TEXAS | HOUSTON'. The main headline is 'Danger in air near metal recyclers'. Below the headline, it says 'Metal recyclers emit carcinogenic pollutant'. The author is 'By Ingrid Lobet' and the article was 'Updated Jan 9, 2013 2:54 p.m.'. There are social media icons for Facebook, Twitter, and Email. The main image shows a yellow excavator with a hydraulic arm and bucket, working on a large pile of scrap metal and debris. In the background, there is a large blue metal structure, possibly a recycling bin or part of a facility. The image is a photograph with a white border and a right-pointing arrow in the bottom right corner. Below the image, there are five small blue dots, with the first one being larger, indicating the current slide in a sequence. At the bottom of the article, there is a caption: 'Dertchebourg Recycling USA in Houston has invested millions of dollars to address problems with smoke, fire and explosions. Nick de la Torre/Staff'.

CHRON

NEWS | HOUSTON & TEXAS | HOUSTON

Danger in air near metal recyclers

Metal recyclers emit carcinogenic pollutant

By Ingrid Lobet
Updated Jan 9, 2013 2:54 p.m.

Dertchebourg Recycling USA in Houston has invested millions of dollars to address problems with smoke, fire and explosions.
Nick de la Torre/Staff

Ongoing Community Impact

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Impacts on Neighbourhoods

- Negative socio-economic impacts on Saint John and surrounding communities.
- Enjoyment of Community and property
- Impacts on parks and recreational facilities.
- Disruption of community life due to emergency orders, shelter advisories, school and business closures, impacting the local economy and workforce.
- A Sense of Place

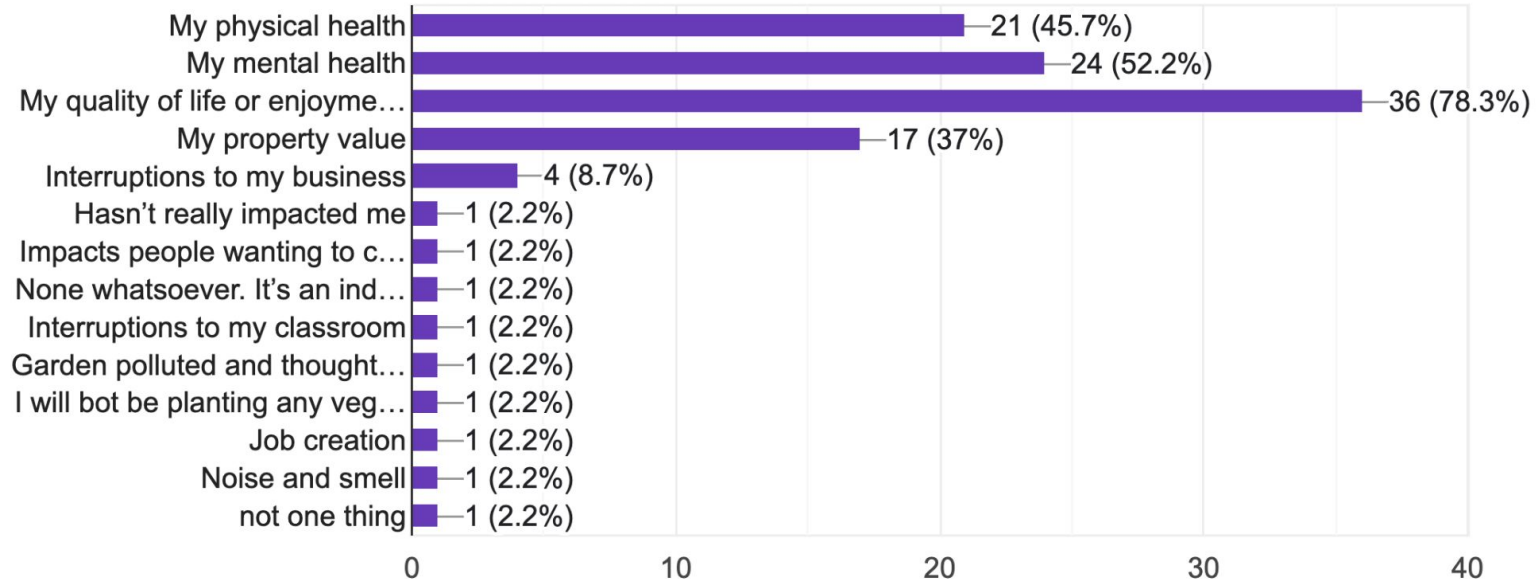
Community Feedback

Community Feedback

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What are some of the ways the AIM facility has impacted you directly?

46 responses

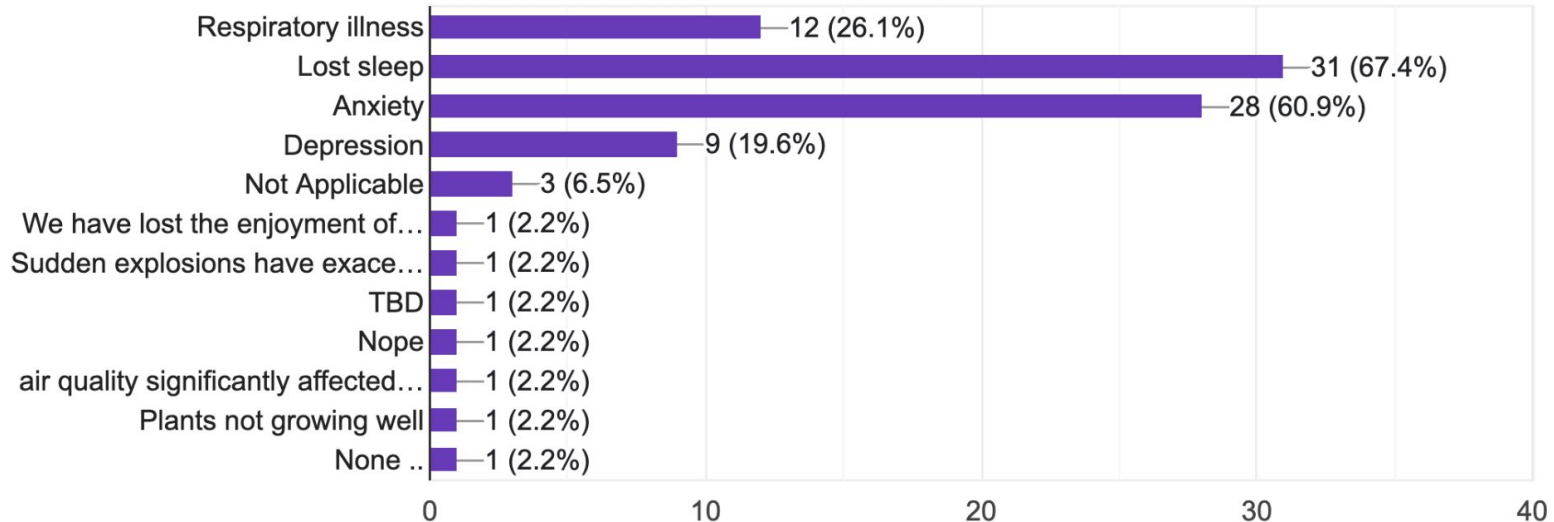


Community Feedback

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How has the noise+pollution from the AIM scrap metal facility impacted the health and well being of you and your family?

46 responses

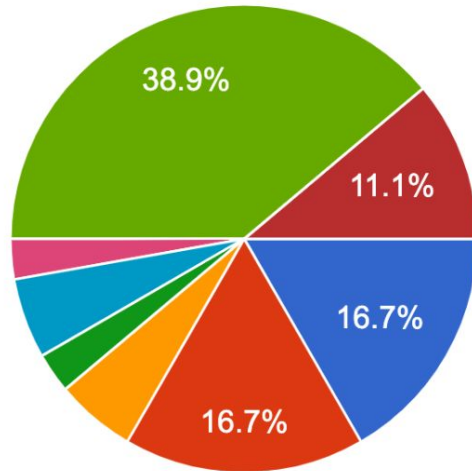


Community Feedback

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How has the noise / pollution from the AIM scrap metal facility impacted your decisions around your home / property?

36 responses



- I have relocated to another neighbourhood
- I plan to relocate to another neighbour...
- I have lost significant equity on my home
- I have considered moving to the area,...
- I have attempted to sell my home, but...
- I have been told by a realtor that the A...
- I have sold my property at a significan...
- I have not had any impacts on my ho...
- I want to move, but I am unable to sell...

Ongoing Community Impact

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“We have been exposed to dust and particulate for years as a result of these operations and have no idea of the health impacts.”

“Can't enjoy my back yard or walking with my dog down by tin can beach because of the incessant noise.”

“In the last three years there have been an unacceptable number of times of sudden, very loud, explosions at the facility.”

“The explosions, the black build up on my siding, I stopped growing veggies as I did not know what I would be ingesting.”

“Loud explosions, the rattling of windows and dishes in cupboards. The stink of fire. Throwing out all of my vegetable because of the fire. Loud noise depriving sleep. Feel of anxiety from said explosions and fires. How could your property not lose value? How is this affecting my health?”

Ongoing Community Impact

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“This created panic across the city.”

“I was awakened during the early hours of the explosion thinking my house was on fire; my vegetable garden was completely polluted by the fall out. I have slight asthma which became worse”

“Our property value has decreased by 40%. Next, we cannot enjoy our house at all with all the explosions. My wife cannot hang her clothes out during the warmer months because of the smell it gets into our clothing.”

“The reputation of city of Saint John has been negatively impacted AIM.”

What Can We Do?

Saint John can Take The Lead

Amid the complex jurisdiction and legal climate, the **City of Saint John can take a leadership role** in developing a collaborative, long-term solution with various community partners, that represents the best interests of residents.

This will be a long-term, multifaceted project.



SAINT JOHN

1. Gather Data

The City of Saint John can facilitate data gathering to fully understand the impact of AIM through:

- **Online engagement** - Work with Liveable Saint John to gather data by promoting online engagement activities and through email or tools such as Shape your City
- **In-Person events** - Promote events and provide access to facilities for public engagement events to gather input from the public
- **Soil Testing** - Conduct independent soil testing to understand the health+environmental risks

2. Collaborate with other Agencies

The City of Saint John can partner with local and regional agencies and organizations to help make recommendations and facilitate a long-term solution, and define a set of guidelines for managing the long-term community impacts of port activity:

- Envision Saint John
- Port Saint John
- Uptown Saint John
- Department of the Environment
- Department of Health
- Other community organizations



3. Review Arrangement with SJ Energy

Saint John Energy currently supplies power to AIM. The City of Saint John can:

- Review the arrangement made with AIM in 2011, which was intended to be a “temporary solution”
- Review bylaws, policies, and liabilities related to the use of power by Saint John Energy customers, and make recommendations with respect to **the supply of energy to industries that create a risk to public safety.**



The screenshot shows a CBC News article from October 6, 2011. The article is titled "Saint John will supply electricity to scrap metal project" and is categorized under "New Brunswick". The text discusses a \$30-million industrial project at the city's port that was in jeopardy due to a power supply issue. It mentions that Saint John Energy has agreed to supply electricity to American Iron and Metal's waterfront scrap operation. The article also notes that a city council had previously blocked the construction of a high-voltage power line due to concerns from residents in a west-end neighbourhood. The article concludes by stating that the company has implemented a "temporary solution" to supply electricity to the operation.

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ALLEGIANCE Watch Free Gem

New Brunswick

Saint John will supply electricity to scrap metal project

CBC News · Posted: Oct 06, 2011 8:04 PM ADT | Last Updated: October 6, 2011

f X ✉ 📺 in

Saint John Energy has agreed to supply electricity to American Iron and Metal's waterfront scrap operation and it will do it mostly along existing lower voltage wires.

The \$30-million industrial project at the city's port [was in jeopardy](#) this year when American Iron and Metal threatened to pull its operations out of Saint John this summer — after NB Power's plan to supply electricity to the project fell through.

[City council blocked the construction of a high-voltage power line](#) that bothered residents in a west-end neighbourhood. In July, a petition with 250 names on it opposing the project was presented at City Hall.

The company has stepped in with what it calls a "temporary solution" to supply electricity to the operation.

4. Intervene with DELG

AIM has benefited from a lack of environmental regulation in NB - In the event that AIM resumes operations, The City of Saint John can take an intervenor role with the Department of The Environment, and **recommend stringent regulations** in their Approval to Operate including:

1. Changing AIM's license from a Class 1 to a **Class 4 status**
2. Comprehensive environmental impact assessment
3. Emergency measures to prevent fires, explosions, or release of toxins
4. Measures to prevent the spread of dust and smoke to residential areas
5. Noise mitigation requirements
6. Increased environmental monitoring and **proactive public reporting** of noise, air, and water pollution

5. Relocation and Remediation

As part of a long-term solution, the City of Saint John can:

- **Facilitate a relocation plan** - with participation from **Growth, Develop Saint John, Envision Saint John, Port Saint John, ACOA**, and other provincial and federal agencies
- **Initiate Neighborhood Remediation** - Assess costs and develop a remediation plan for neighborhoods that have been impacted by the AIM facility, including impacts on property value, soil contamination, seismic damage, etc.

Thank You!