

# Frac sand facility debate heating up as opposed bring in provincial Ministries

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DAWSON CREEK – The opponents to a proposed frac sand facility in Dawson Creek are stepping up their efforts, as the city’s council and mayor Dale Bumstead dig in their heels on the matter, saying that a rezoning of the property is not likely.

Brothers Scott and Matt Butler, and Doug Scott, of Upper Montney Estates in Dawson Creek, have been strongly and publicly opposing the project since they observed work beginning on the property adjacent to one of their developments along Alaska Highway, and thought that not enough public consultation had yet been done by the city.

The frac sand facility was brought to the city’s attention earlier this year, and the rezoning of the land in question was discussed then rejected by council.

Council had decided in a closed meeting to keep the land at its current light industrial zoning, which allows for a frac sand distribution facility, because of legal advice it had received which warned that CN, the owner of the property, could potentially sue the city under such circumstances.

A website and Facebook page have been launched to promote the Butlers’ and Scott’s campaign, and over 500 emails opposing the frac sand facility have been forwarded to city hall, councillors and the mayor’s email accounts.

A poll conducted by Rushbrooke Communications of Vancouver, and released on July 13 shows that 87 per cent of a random selection of 258 Dawson Creek citizens oppose the downtown-adjacent location of the facility.

The poll was funded by Butler et al.

“This is clearly something people recognize is the old way of doing things. Every city across the country recognizes that industry should go outside of town, not right in the middle of it, and the city should be looking for ways to make that happen,” said Scott

Butler.

“It’s interesting from that perspective, to see this and realize that I guess due to this fear over the potential CN lawsuit, the city’s willing to let the middle of town end up with an industrial facility for decades.”

The main issue, aside from the noise and increased truck and train traffic that the proposed facility would cause, are the potential health hazards that the presence of silica dust could cause those in the area.

As studies and research around the hazards of silica dust have been mostly in occupational contexts, conclusions around the effects to residents and other neighbours have thus far been largely speculative.

The Occupational Health and Safety Regulation of B.C.s Worker’s Compensation Act identifies silica dust as a “designated substance” or a known risk to human health.

The International Agency for Research on Cancer (IARC), a World Health Organization (WHO) agency, lists silica dust as a Class 1 agent, meaning it has been conclusively proven to be carcinogenic to humans.

One of the risks of long term exposure to respirable [breathable] crystalline silica (the type usually used in fracking) is chronic silicosis which results from scarring in the lungs due to particulate lodged in the tissue.

Chronic silicosis can form over a period of five to ten years.

The poll reported that once respondents learned of the links of long term silica dust exposure to silicosis and cancer, 77 per cent and 80 per cent respectively were less supportive of the project.

Men at 37 per cent were more likely to support the project than women at 23 per cent, and parents with children in the home were more opposed—at 68 per cent—than those without children at 59 per cent.

“If somebody applies for a building permit or a development permit within a zone that works, that’s what the city says the development can occur, so we wouldn’t stop it, or couldn’t stop it,” Bumstead told Northeast News.

“But I’m not saying that we couldn’t stop it, because you could always stop it, but the

ramifications of that are and could be significant, both in terms of litigation and/or issues, so it would be speculative for me to say what council will do because we'll deal with it in August when we get the development permit brought forward to us and then understand the proponent's plans in terms of ensuring that everything they're planning to do meets the zoning requirements, and the bylaw for the zoning, and then council will make the decision as to whether the proposal will move forward or not."

On July 17, the Butlers and Scott sent a letter to the B.C. Ministries of Health and the Environment, as well as WorkSafeBC, appealing for an agency to look closer at the proposed facility.

"Specifically, we are looking for the enforcement of engineering principles for discharged air from the proposed frac sand transload facility in the middle of Dawson Creek" the letter reads.

"This is a known carcinogen proposed to be handled by rail, front end loader, conveyor belt and truck in the centre of a City of 11,583 people."

Scott and the two Butlers were denied a second delegation appearance before city council at its July 20 meeting, which Dawson Creek Chief Administrative Officer Jim Chute says was motivated by time and fairness alone.

"Mr. Butler and Mr. Scott already presented to council on these issues, at length," said Chute, "so the conclusion from the mayor is that they've had their opportunity, and so the opportunity should now pass to those who have not addressed council before."

Four other speakers were granted permission to speak at the meeting about the proposed facility.

Another potential delegate, David Jarrell of Consolidare Consulting International, was also denied a chance to present before council.

Jarrell is a Certified Industrial Hygienist, Registered Occupational Hygienist, Canadian Registered Safety Professional and a U.S. Certified Safety Professional.

He was asked by Butler et al. to speak before council, but was to appear as an independent delegate.

Chute said Jarrell “was rejected on the basis that it was speaking to matters that are outside council’s jurisdiction. It was speaking to work safety rules basically, and that presentation should more appropriately be made to WorkSafeBC or to the provincial government.”

In an interview with Northeast News, Jarrell drew the connection between the occupational hazard of silica dust and the danger it could potentially pose to the surrounding areas of such a facility.

He pointed to WorkSafeBC regulations.

“When you’re dealing with respirable crystalline silica,” Jarrell said, “it’s got an occupational exposure limit of 25 microns per metre cubed. In the ventilation part of that regulation, the discharge [into ambient air] can’t exceed more than ten per cent of that value.”

“What I do know from my experience in the industry is, there is always dust generated and released. Even with controls in place, there are still moments in the process where the controls aren’t adequate, and dust is released. ... Based on the potential for dust release to the community, and the health effects, 100 metres or less is not an adequate buffer zone, and it would be placing the public at risk. Especially directly downwind. In every other facility I’ve seen, they’re usually in really industrial areas, and usually a buffer between 350, 500 metres away. ... The proposal location is not good.”

Bumstead told Northeast News that while he recognizes the concerns of the public and those opposed, he has faith in the regulatory requirements and legislation set in place by provincial and federal governments.

“I think the frustration from folks in the community, from what I’ve seen, is they just don’t like the fact that it’s right kind of in the centre of town, as you’re coming through. They’re using the example that it’s right in downtown Dawson Creek, well it’s not right in downtown Dawson Creek. Mile Zero Post, and Bing’s Furniture, and the Butcher Block are in downtown Dawson Creek. This is an industrial area.”

In Dawson Creek’s Official Community Plan, which is “intended to establish the policy framework within which planning decisions are made by Council” according to the City of Dawson Creek website, the area in question is zoned for Mixed Use.

“People who are raising this issue about health concerns, in my view, there’s an

absolute scare tactic on these guys' part," said Bumstead.

"I think Doug Scott and the Butler brothers are throwing this health concern out there, [in] an attempt to raise the alarm of the public. There are frac sand facilities all over Western Canada, so for me, you understand that the sand, if it is dangerous, and I don't know that, I'm no expert, but the provincial government and the federal government have regulatory processes to ensure that if a material is hazardous to the public's health, then they have regulations in place to ensure that it's handled and operates under those protocols, and so, like when people are dealing with other hazardous materials like gasoline ... there are regulations they have to adhere to, so I think this whole issue for me is frustrating from that perspective because these guys are saying let's protect Dawson Creek. This is about let's protect their financial investments."

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