



MiningWatch Canada

Mines Alerte

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Leslie Payette
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Nunavut Impact Review Board
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Dear Ms. Payette,

Re: NIRB file no. 09MN003 – Areva Resources Canada Inc.'s proposed Kiggavik Project

Please accept this as MiningWatch Canada's submission regarding the environmental assessment of the proposed Kiggavik project. MiningWatch Canada is a coalition of nineteen labour, Aboriginal, environmental, social justice and development organizations from across Canada with a mandate to support communities affected by mining in Canada, and affected by Canadian mining companies around the world. We respond to concerns regarding public health, water and air quality, fish and wildlife habitat, and community interests arising from irresponsible mineral policies and practices. We have participated in a variety of important mining environmental assessments including Voisey's Bay, Diavik, and Kemess North.

I have attached MiningWatch's *Policy Statement on Uranium Mining*, which specifically recommends that there should be a total moratorium on uranium exploration and new uranium mines across Canada until such time as:

- There is a full, well informed, and serious public debate and national consensus regarding energy policy, and the role of nuclear energy as part of this overall energy policy;
- The destructive environmental legacy of past and existing uranium mining has been cleaned up and permanently neutralized, and the people who have suffered injury to their health from involvement in or exposure to uranium mining and processing have been adequately compensated individually and collectively; and
- There is a sound, long term, economically feasible, scientifically demonstrated, and publicly acceptable means of isolating radioactive wastes (from the mining, processing, and use of uranium) from the environment and from human communities.

The present project proposal is being brought forward in the absence of any resolution of these conditions, or even any meaningful movement towards their resolution. It would add to the burden being placed on future generations for the management of radioactive mill tailings and mine waste, effectively in perpetuity. While management of wastes is one of the most serious problems associated with uranium development, there are also other likely and potential impacts on the surrounding ecosystems and the well-being of people who depend on those ecosystems for sustenance.

We are aware that Nunavut Tunngavik Inc. and the Kivalliq Inuit Association have already approved uranium mining in principle. Such a position is within their mandates but does not override the NIRB's duties and responsibilities. We are concerned that their respective decisions were made without access to important and balanced information about the risks of uranium exploration, extraction and processing. Both the *NTI Uranium Policy* and the *Background Paper on the NTI Uranium Policy* omit important information on uranium mining, the nuclear industry, and the entire nuclear fuel chain including health and ecosystem impacts.

The Keewatin Land Use Plan Term 3.5 places a moratorium on uranium development:

“Uranium development shall not take place until the NPC, NIRB, the NWB and the NWMB have reviewed all of the issues relevant to uranium exploration and mining. Any review of uranium exploration and mining shall pay particular attention to questions concerning health and environmental protection.”

These conditions were deemed by the Nunavut Planning Commission to have been fulfilled by it having convened a single workshop in Baker Lake on June 5-7, 2007; MiningWatch Canada offered to attend this workshop but was not invited, and contrary to what participants were told there was no follow-up workshop – or other public or expert involvement of any kind. The respective deliberations of the NIRB, the Nunavut Water Board, and the Nunavut Wildlife Management Board have not been made public to the best of our knowledge.

It is worth noting that, Term 3.6 of the Keewatin Land Use Plan states: “Any future proposal to mine uranium must be approved by the people of the region.” Unless there is to be a plebiscite on the project, such as was held on March 26, 1990 by the Baker Lake Hamlet Council, no mechanism exists to implement this Term apart from the environmental assessment process.

It is our observation that the project proposal has significant negative impact potential, and therefore requires review under Part 6 of the Nunavut Land Claim Agreement. We would specifically note that the project:

- (a) may have significant adverse effects on the ecosystem and wildlife habitat, especially in relation to critical caribou habitat, including calving and staging areas, and therefore on Inuit harvesting activities;
- (b) may have significant adverse socio-economic effects on northerners, especially those who rely on the caribou for a significant part of their traditional activities and diet;
- (c) will cause significant public concern, as would any planned large-scale release of radiation into the environment, even where it is presumed to be regulated and controlled; and
- (d) involves technological innovations for which the effects are unknown, specifically related to the long-term control of uranium mill tailings and contaminated water.

Additionally, at least two key aspects of this proposal present strong arguments for review by a federal environmental assessment panel rather than NIRB. Firstly, it could generate trans-boundary impacts through the release of radionuclides, especially radon gas, into the air and water, and through any impact on the Beverly and Qaminirjuaq caribou herds that range into the Northwest Territories, Manitoba, and Saskatchewan and are hunted by the Denesūliné as well as the Inuit. Secondly, nuclear development in general and uranium mining in particular have had and continue to have impacts at a national level – from past mines in the Northwest Territories, Saskatchewan, and Ontario, to uranium processing facilities in Ontario, to the recent explosion in exploration activity across the country – and there is significant interest, experience, and expertise to bring to bear on this topic. Both of these aspects can only effectively be addressed by a federal panel.

Assessing this proposal within the context of a federal panel review would also be advantageous because the federal environmental review process is well-defined, with clear procedures, while the NIRB has not yet released its own rules of procedure. As well, the Canadian Environmental Assessment Agency, unlike the NIRB, has a Participant Funding Program to facilitate the participation of public intervenors. While this fund is insignificant in comparison with the hundreds of thousands or even millions of dollars the proponent will spend preparing its documentation, or in comparison with the funds required by community and public interest groups to review and critique that documentation effectively and intervene effectively in the review process, it is nonetheless important and may well mean the difference between having a degree of meaningful public involvement and having none.

For all the above reasons, we respectfully ask the NIRB to recommend to the Minister of Indian and Northern Affairs that he refer this project proposal to the Minister of the Environment for public review by a federal environmental assessment panel as per Section 12.6.1 of the Nunavut Land Claims Agreement.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jamie Kneen'. The signature is fluid and cursive, with the first name 'Jamie' written in a larger, more prominent script than the last name 'Kneen'.

Jamie Kneen
Communications and Outreach Coordinator

Attachments:

- MiningWatch Canada Policy Statement on Uranium Mining
- Comment Form for NIRB Screenings