

NIRB File No.: 09MN003 CNSC File No.: 2.05

May 14, 2012

Dr. Patsy Thompson, Director General
Director of Environmental and Radiation Protection and Assessment
Canadian Nuclear Safety Commission
280 Slater Street
PO Box 1060, Station B
Ottawa ON K1P 5S9

Sent via email: patsy.thompson@cnsnc-ccsn.gc.ca

Re: <u>CNSC Request for Extension to the Deadline for Submission of Information Requests for the NIRB's Review of AREVA Resources Canada Inc.'s Kiggavik Project Proposal</u>

Dear Dr. Patsy Thompson:

On behalf of the Nunavut Impact Review Board (NIRB or Board), I would like to take this opportunity to respond to the enclosed correspondence received on May 10, 2012 from the Canadian Nuclear Safety Commission (CNSC) regarding the NIRB's ongoing Review of AREVA Resources Canada Inc.'s Kiggavik project proposal (the Project). The CNSC is requesting an 18 day extension to the current 30 day Information Request period for the technical review of the Draft Environmental Impact Statement (Draft EIS), which would move the current deadline from June 4, 2012 to June 21, 2012.

During the NIRB review process, once the Board accepts a Draft EIS submission from a Proponent and commences the technical review period, typically 30 days are allocated for the submission of Information Requests. These requests for information are meant to identify significant information gaps within the Draft EIS which need to be addressed so that parties can develop their respective technical review comments.

The CNSC has noted that, given the size of the project, the several project elements cutting across departmental mandates and the need to ensure coordination and consultation across federal government departments during the Draft EIS completeness review, this additional time is necessary. The NIRB further notes that the CNSC has consulted with the various federal government departments participating in this Review and the extension request is supported by Aboriginal Affairs and Northern Development Canada, Natural Resources Canada, Environment Canada, Fisheries and Oceans Canada, Health Canada and Transport Canada.

The NIRB must endeavour to ensure consistent timelines in the review of major development projects proposed in the Nunavut Settlement Area, while maintaining as much flexibility in its scheduling as is necessary to allow for the full participation of parties. The NIRB is prepared to accept the CNSC's request and extend the deadline for the submission of Information Requests, however, as the NIRB's next regular board meeting is scheduled for June 25-29, 2012 and requires the participation of all Board staff and significant associated logistics, the NIRB would not have sufficient time to carry out the required consideration of parties' Information Requests without causing a significant delay should an 18 day extension be granted.

Therefore, at this time the Board is prepared to extend the deadline for the submission of Information Requests by 14 days, to **Monday, June 18, 2012**. It is hoped that this extension will allow the CNSC sufficient time to carry out its completeness check while consulting and coordinating with the other federal government departments as might be necessary, and at the same time, enable the NIRB to maintain the most efficient Review timeline possible. Please note that, following the Proponent's submission of a response to Information Requests, further information deficiencies or additional information requirements may be identified through the remaining 60 day technical review period and noted in parties' technical review comments to the Board.

The NIRB notes that it has an obligation to adhere as closely as possible to its published review timeline¹ and expects that all parties will endeavour to structure their participation in the Review process in accordance with the timelines set by the Board. Given the current number of active assessments before the NIRB and the implications to the timelines for these other assessments, it is important that the Board has confidence in the CNSC's ability to meet the remaining timelines for the Kiggavik Review moving forward. To this end, the Board asks that the CNSC review the enclosed review process map and notify the NIRB as soon as possible if it determines that it will be unable to meet the June 18, 2012 deadline for the submission of Information Requests, or if it is believed that additional time might be required at any subsequent stages of this Review to permit the full and effective participation of CNSC in this assessment. The NIRB will continue to consider requests for flexibility in its timelines on a case by case basis and looks forward to working with all parties to maintain an efficient and timely review process.

By copy of this letter, the NIRB hereby extends the Information Request period for the Kiggavik Review and requests that all interested parties submit their information requests to the NIRB at info@nirb.ca or by fax to (867) 983-2594 on or before **5:00 pm MST**, **Monday**, **June 18**, **2012**.

If you have any questions or require additional clarification regarding the NIRB's Review process, please contact Amanda Hanson, Director of Technical Services (867) 983-4615 or ahanson@nirb.ca.

Sincerely,

Ryan Barry

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¹ NIRB Guide 5: Guide to the NIRB Review Process, Appendix A available online at the following location: http://ftp.nirb.ca/04-GUIDES/

Ryan Barry **Executive Director** Nunavut Impact Review Board

Kiggavik Distribution List cc:

CNSC Letter to NIRB Re Extension Request (Received March 10, 2012) Process Map for the Review of the Kiggavik Project (May 14, 2012) Enclosed: