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Sent: September-14-11 11:55 AM
To: erik.madsen@baffinland.ca; oliver.curran@baffinland.ca
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Subject: Baffinland DEIS - Outstanding Information Request
Attachments: RDIM-#436779-v1-CTA_COMMENTS_TO_BIMC_RESPONSES.DOCX

Follow Up Flag: Follow up
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Hello,

The present communication is with regard to an information request that staff from the Canadian Transportation Agency formulated after reviewing Baffinland's Draft Environmental Impact Statement (DEIS) of the Mary River Project and for which a satisfactory response has not yet been obtained.

In March 2011, Agency staff submitted information requests regarding the following issues pertaining to the rail component of the project:

permafrost, emergency response, railway noise and vibration, potential collisions between trains and caribou, and several clarifications of factual elements regarding elements of the rail project.

In April 2011 Baffinland responded to these requests along with those of other departments and interveners in the environmental assessment process. Through that document, during a meeting with Agency staff and in subsequent correspondence, Baffinland representatives responded to most of the information requests.

However, the information provided regarding emergency response remains incomplete. Baffinland's two sentence response made reference to drawing upon the experience of ArcelorMittal and its rail operations north of Port Cartier, Quebec to complete the Emergency Response Plan.

This same response was reiterated latter by Baffinland without providing any further information regarding what elements of ArcelorMittal experience can be applied to Baffinland's proposed railway line.

The information sought by the Agency staff concerns how resources could be quickly deployed to the site of a train derailment to recover spilt fuel or other substances given the remoteness of the site and the rigorous climatic conditions that often delay the transportation of human and material resources. The information requested went beyond the broad policy orientation and roles and responsibilities described in Section 6 of the DEIS to how tangibly Baffinland could respond to a train derailment in a particularly challenging and remote area.

In a meeting at the Agency, Mr. Mathew Pickard stated Baffinland staff would be trained, equipped, and quickly deployed to respond to chemical spills or other environmental emergencies. Major railways very often call upon the services of firms specialized in environmental emergencies not only to limit the number of employees that have to be redirected to controlling and cleaning a spill site but for extensive expertise of these specialists bring in limiting the environmental damage. How would Baffinland staff – even well-trained - but with little field experience (everyone wants Baffinland to encounter as few emergencies as possible) effectively and rapidly deal with such an emergency?

I first highlighted how this issue had not been addressed in a followup to the information requests and responses about two months ago. By October 6, 2011, Canadian Transportation Agency staff must submit comments for the technical review. This issue needs to be addressed and Baffinland's response should be available for the technical meetings and subsequent steps in the environmental assessment

process. It will therefore be part of our technical review comments.

I have attached the Agency staff's comments to your company's responses to the March 2011 information requests.

If you need to discuss this information request, feel free to contact me.

Regards,

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