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Conservation Council of New Brunswick

Environment Minister John Baird Rejects Federal Review of Irving Oil Refinery

Environment Minister John Baird has refused to strike a joint panel review of the proposed Irving Oil refinery with the Province of New Brunswick, nor will he carry out a federal review. In a press release yesterday he said the federal government would restrict its review to the environmental impacts of the breakwater and wharf that would be constructed to serve the new oil refinery. Instead, all other environmental impacts which come under federal jurisdiction will be considered by the Province.

"This is a victory for Irving Oil, which argued in its filing documents that it would prefer that the federal government not carry out an environmental review of the refinery operations, but leave this to the provincial Department of Environment," said David Coon, Policy Director for the Conservation Council of New Brunswick. "There will be no formal public hearings and there will be no independent panel review. The review of the refinery will take place behind closed doors by the provincial public service," said Coon.

The Conservation Council and many other public interest groups argued during the public comment period that the environmental impacts of the refinery itself should be examined by an independent panel as provided for under the Canadian Environmental Assessment Act, either jointly with the Province or independently if an agreement could not be reached between Ottawa and Fredericton. The public comment period closed on June 30th.

CCNB's submission made three recommendations:

1. The scope of the federal assessment must include the oil refinery to be in compliance with the legal requirements of the Canadian Environmental Assessment Act;
2. The scope of the factors and issues to be considered must be more broadly construed in order to assess the full environmental effects of the project, particularly full federal and transboundary effects in terms of potential impacts on Nova Scotia and Maine, and on endangered species such as the Right Whale and Inner Bay of Fundy Atlantic Salmon which are protected under federal law; and
3. A Review Panel is necessary to ensure both meaningful public participation and coordination of the assessment.

After five months of waiting, all three recommendations were rejected out of hand by John Baird yesterday.

"In our view, exempting the proposed refinery from federal assessment does not meet the legal requirements of the Canadian Environmental Assessment Act," said Coon. "We will be consulting with our legal team and our Board of Directors to examine our options," said Coon.

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Contact: David Coon, Policy Director
506 466-4033, cell 506 461-1023