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Ottawa being sued over refinery review

Environmentalists in New Brunswick launched a lawsuit against the federal government on Monday to try and force a full review of the proposed Irving Oil refinery near Saint John.

The suit filed by the Conservation Council's Fundy Baykeeper and Friends of the Earth Canada challenges a decision to restrict the federal environmental assessment of the $7-billion refinery to the facility's wharf and facilities used to unload crude oil.

Environment Minister John Baird hassaidthere was no need for both the provincial and federal governments to duplicate their reviews of the project, leaving it to the New Brunswick government to do a wider environmental assessment.

He has maintained that all possible environmental impacts will be known before the project goes ahead.

"The gist of the lawsuit is an action in the Federal Court challenging minister Baird's decision to only subject the Irving refinery to an environmental assessment of the wharf structure," said lawyer Justin Duncan of Ecojustice, formerly the Sierra Legal Defence Fund.

"So we're challenging the federal government to do a more fulsome environmental assessment."

The suit names Environment Canada, Transport Canada and the Department of Fisheries and Oceans as well as Irving Oil Ltd. The respondents haven't yet replied.

Duncan said the current order ignores a look at air pollution, the impact on endangered Atlantic salmon, Right whales and global warming.

"The decision to evaluate the wharf and turn a blind eye to the refinery itself is not only illegal, it is plainly absurd," he said.

The groups accuse Baird of ignoring laws that demand he order an assessment of the entire project.

The lawsuit argues that under the Canadian Environmental Assessment Act, Ottawa must study and minimize the harmful environmental impact of large-scale industrial projects.

"We are gravely concerned about the impacts the proposed Irving refinery would have on people's health and our ability to achieve our greenhouse gas targets," said David Coon of the Conservation Council of New Brunswick.

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