



RESPONSE TO PETITION

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PETITION No.: **421-02106**

BY: **MR. MCGUINITY (OTTAWA SOUTH)**

DATE: **FEBRUARY 28, 2018**

PRINT NAME OF SIGNATORY: **The Honourable Catherine McKenna**

Response by the Minister of Environment and Climate Change

SIGNATURE

Minister or Parliamentary Secretary

SUBJECT

Waste management

ORIGINAL TEXT

REPLY

On February 8th, the Government of Canada introduced Bill C-69 which proposes to repeal the *Canadian Environmental Assessment Act, 2012* and replace it with the proposed Impact Assessment Act of Canada. The Bill is the culmination of 14 months of extensive engagement with provinces and territories, Indigenous peoples, industry stakeholders, environmental groups and the public.

The new legislation responds to what we heard from Canadians over those 14 months and would broaden reviews of designated projects from environmental assessments to impact assessments with a focus on sustainability. It also proposes to have one Agency, the Impact Assessment Agency of Canada, lead on all impact assessments of designated projects and coordinate consultations with Indigenous Peoples, including those designated projects that are regulated by the Canadian Nuclear Safety Commission.

The Impact Assessment Agency of Canada would work collaboratively with lifecycle regulators, like the Canadian Nuclear Safety Commission, to draw upon their expertise and ensure that safety and other key regulatory factors are considered as part of a single, integrated review. This approach would ensure that all project reviews follow a consistent, neutral process, while retaining the specialized expertise of Canada's regulators. Energy regulators would remain responsible for

ensuring the safety and effectiveness of the energy sector. This responsibility would be bolstered by a consistent approach to federal impact assessment across industry sectors.

The Bill proposes a new planning phase that would engage jurisdictions, potentially affected Indigenous peoples and communities to ensure that key issues are raised early in the impact assessment so that project proponents know what is expected from them. Public participation opportunities will also be provided during impact assessments conducted by the Impact Assessment Agency and those conducted by a review panel.

In January 2016 the Government announced an interim approach and principles that would guide decision-making on projects that were currently in the system. These principles are that:

- No project proponent will be asked to return to the starting line – reviews will continue within the current legislative framework and in accordance with treaty provisions, under the auspices of relevant responsible authorities and Northern regulatory boards;
- Decisions will be based on science, traditional knowledge of Indigenous peoples, and other relevant evidence;
- The views of the public and affected communities will be sought and considered;
- Indigenous peoples will be meaningfully consulted and, where appropriate, impacts on their rights and interests will be accommodated; and
- Direct and upstream greenhouse gas emissions linked to the projects under review will be assessed.

These principles will continue to inform decisions on projects currently in the system until such time as the proposed legislation comes into force.

Environmental assessments are currently in progress for the following nuclear projects involving permanent disposal of radioactive waste:

- Nuclear Power Demonstration Closure Project, CEAR #80121, <http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80121>
- Near Surface Disposal Facility Project, CEAR #80122, <http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80122>
- In Situ Decommissioning of the Whiteshell Reactor #1 Project, CEAR #80124, <http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80124>