

**From:** Tawanis Testart  
**Sent:** 20/11/2008 11:46:10 AM  
**To:** 'kor@theedge.ca'  
**CC:** Martin Haefele; Alistair MacDonald; Vern Christensen, Executive Director; McFaullT@inac-ainc.gc.ca  
**BCC:**  
**Subject:** RE: URGENT October 9, 2008 e-mail from DIAND to MVEIRB on the Giant Mine Environmental Assessment

Hi Kevin,

My apologies, you should be receiving an email from me that was sent to various parties that explained that it was my mistake that the documents were not posted to our website. The error was brought to my attention today and I have now posted the documents.

The Review Board is still yet to make a determination on the scope of development or scope of assessment in the EA, and has decided to defer a decision on whether or not the freeze optimization work should be included in the scope of development until after its decision on the scope of development and scope of assessment for the EA. There has not been a meeting between INAC and the Review Board staff on the freeze optimization work and no further board deliberations or decisions have been made. The Review Board is still considering scope of development and scope of assessment for this file and will be publishing its decision when it is made, hopefully soon. However, I have no information on when the Review Board may make a decision on the freeze optimization study.

Regards,

Tawanis

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**From:** kor@theedge.ca [mailto:kor@theedge.ca]  
**Sent:** November 20, 2008 11:27 AM  
**To:** Tawanis Testart  
**Cc:** Martin Haefele; Alistair MacDonald; Vern Christensen, Executive Director; McFaullT@inac-ainc.gc.ca  
**Subject:** re: URGENT October 9, 2008 e-mail from DIAND to MVEIRB on the Giant Mine Environmental Assessment  
**Importance:** High

Tawanis

I received an e-mail this morning regarding the posting of an e-mail exchange between DIAND and the yourself to the public registry with regard to the freeze optimization study and the Giant Mine Remediation Plan Environmental Assessment.

I have a demonstrated interest in the freeze optimization study as my questioning of the developer at the July 22, 2008 public hearing (see transcript

page 110) led to the undertaking where the developer filed further information to support its view that the study work should be excluded from the environmental assessment. DIAND filed its response on August 15, 2008. I filed a letter of comment on September 22, 2008 that included my views on this response and requested that the Board not exclude the study work from the environmental assessment.

I would like to know whether there was a meeting between MVEIRB staff and DIAND staff on the freeze optimization study, whether there was a record kept of that meeting and why the other parties to this environmental assessment were not advised of the meeting?

Has DIAND submitted additional information regarding the freeze optimization study as there is nothing on the public registry in this regard?

I am very concerned that my rights as an intervenor may have been compromised. If additional information was submitted by the developer, I believe that I should have the right to review this information and make my views known to the Board before a decision may be made on this issue. Do you know when the Board may make a ruling on the scope of this environmental assessment and DIAND's request to exclude the freeze optimization study?

In the interest of procedural fairness, I would request again that the Board post information to the public registry in a more timely fashion and if this is not possible, that material be sent directly to all interested parties. I look forward to your response.

Kevin O'Reilly

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