March 23, 2016

Dear [redacted]:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (File # NR-008-2016)

This is to confirm that on March 9, 2016, The Department of Natural Resources received your request for access to the following records/information:

When North Atlantic Refining Ltd was sold in 2014, the province assumed some of the existing environmental liabilities. At the time, the minister said "there will be an extensive environmental assessment completed over the next year that will capture the pre-existing liabilities and that will be the responsibility of government." I would like a copy of this assessment. In particular, I would like to see the assessed dollar value of the province's liability. Email communication is preferred.

The Department of Natural Resources has reviewed this request and the records/information you are requesting are not available at this time.

As an update, we wish to advise you that the environmental site assessment (ESA) at the North Atlantic refinery at Come by Chance is ongoing. Stantec was hired by NARL in early 2015 and has been undertaking the work in accordance with the Guidance Document for the Management of Impacted Sites (published by the Department of Environment and Conservation). This is a multi-phase approach whereby potential site contamination is first identified through a review of current and historical records followed by site sampling work and analysis to determine the extent of any physical contamination at the refinery. This is then followed by an analysis of any associated remediation work, costs and liabilities that may be required.

The ESA was due to be complete in November 2015, however, delays have occurred to date related to hiring, approvals and ESA work, including challenges in executing site work during continuing Refinery operations. The process of completing and analyzing the extent of any physical contamination is continuing and the full environmental site assessment is now anticipated to be complete later in 2016. Following finalization of the report and submission to government, it is expected that the report will be released publically.
The Access to Information and Protection of Privacy Act requires us to provide an advisory response within 10 days of receiving the request. As this request has been processed within this time period, this letter also serves as our Advisory Response.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the Access to Information and Protection of Privacy Act (the Act). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that this letter will be published following a 72 hour period after it is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the letter posted to the Office of Public Engagement's website within one business day following the applicable period of time.

If you have any further questions, please contact me by telephone at 709-729-1651 or by email at reeneependergast@gov.nl.ca.

Sincerely,

Renee Pendergast
ATIPP Coordinator
Department of Natural Resources