

From: Marko Dekovic
Sent: October 16, 2019 12:07 AM
To: 'CEAA.PanelRBT2-CommissionRBT2.ACEE@canada.ca' <CEAA.PanelRBT2-CommissionRBT2.ACEE@canada.ca>
Cc: Mike McLellan <email address removed >
Subject: RE: Request to Include Material Documents in the public record

October 16, 2019

VIA EMAIL

Cindy Parker

Panel Manager, Roberts Bank Terminal 2 Project

Dear Ms. Parker:

RE: RE: Request to Include Material Documents in the public record for the environmental assessment of the Roberts Bank Terminal 2 Project (the "Project")

GCT Global Container Terminals Inc. ("GCT") requests that the Review Panel for the Project include the attached documents in the public record for the Project's environmental assessment (the "**Documents**").

The Documents consist of correspondence sent by the Proponent to GCT after the Review Panel had closed the public record, and GCT's responses.

On September 18, 2019 the Review Panel Secretariat sent an email to Participants in the Project's Public Hearings stating that the Review Panel closed the record for the Project's environmental assessment on August 27, 2019. GCT received the correspondence from the Proponent on and after September 23, 2019.

The Proponent's concessions, as contained in their correspondence, contradict the statements and submissions made by the Proponent during the Project's public hearings regarding the alternative means assessment east of the causeway and, in particular, regarding the viability of the Deltaport Fourth Berth Project. GCT believes the information contained in the Documents is of material relevance to the Project's environmental assessment, including the factors the Review Panel must take into account under subsections 19(1) and 19(3) of the *Canadian Environmental Assessment Act, 2012* (the "**Act**"). The Documents provide further evidence in support of GCT's oral and written submissions.

GCT requests the Review Panel confirm that it will accept the Documents in the public record, and will consider the documents as it prepares and subsequently submits the Review Panel's Report for the Minister with respect to the Project's environmental assessment. We also respectfully submit that the Review Panel consider whether the Proponent has breached section 98 of the Act.

Yours sincerely,

Marko Dekovic
Vice President, Public Affairs
<contact information removed>

GCT Global Container Terminals Inc.
<contact information removed>
globalterminals.com

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