

May 24, 2012

Daniel Santoro
Doucette Boni Santoro
<contact information removed>

Subject: Your letter to the Joint Review Panel, dated May 23, 2013

Dear Mr. Santoro:

We are counsel to the Joint Review Panel (the Panel) for the proposed Deep Geologic Repository Project for Low and Intermediate Level Waste (DGR Project).

We are in receipt of your letter dated May 23, 2013 on behalf of your client Mr. John Mann III in which you raise questions regarding the way some of your client's submissions have been labeled as "SPAM" prior to being posted on the Canadian Environmental Registry Internet Site (CEARIS) for the DGR Project¹, as well as concerns that at least two of your client's submissions have been returned to him with the notification that they have been "rejected because of unacceptable content." You also stated that at least one other submission sent to the Panel by a person other than your client has not been posted, but you have not provided further information to allow the Panel Secretariat to determine what, in fact, may have happened.

You have requested that we provide you with answers to the questions below:

1 – *Who is responsible for posting Mr. Mann's submissions on the Website with the label SPAM, pursuant to what authority were they acting, and how did they come to determine that his submission was "SPAM."*

2 – *What is the "unacceptable content" which caused Mr. Mann's other submission to be rejected, who is responsible for making this determination, how was it made, and pursuant to what authority?*

With regards to questions 1 & 2, a notice ([CEARIS # 1084](#)) was sent to all interested parties, including Mr. Mann, on May 22, 2013, describing the anti-spam procedures that are applied to the Panel mailbox. Information technology services for the Panel are supplied by the Government of Canada and all submissions to the Panel are posted on the CEAA registry by the Canadian Environmental Assessment Agency.

As explained in more detail in the notice, within the Government of Canada system used by the Panel, all incoming emails go through an anti-spam scan. The system adds the word "SPAM" to the subject line of an email that triggers criteria in the filter in order that the recipient is alerted that the content may be spam.

In certain circumstances an email may be rejected for "unacceptable content". In this case, the email is not delivered to the recipient. The triggers for rejection include administrative triggers, such as, but not limited to, a very long list of recipients.

¹ <http://www.ceaa.gc.ca/050/details-eng.cfm?evaluation=17520>

3- Have any other messages received by you been screened in any way for content or otherwise?

With regards to question 3, your client received an email on May 1, 2013 from the DGR Joint Review Panel Co-Manager ([CEARIS #993](#)), which confirmed by date all of the submissions received and posted on the public registry. Apart from the Government of Canada's anti-spam filters discussed above and in the May 22, 2013 notice to all interested parties, the DGR JRP does not screen messages received for content.

We are available to discuss the above with you. Please do not hesitate to contact Pierre-Daniel Bourgeau at 613-947-6375 or Denis Saumure at 613-943-0145.

Yours sincerely,

<original signed by>

Pierre-Daniel Bourgeau, B.A., LL.B, J.D.
Co-Counsel for the Joint Review Panel

Cc: Denis Saumure, LL.M., Counsel for the Joint Review Panel
Dr. Stella Swanson, Chair, Joint Review Panel
James F. Archibald, Joint Review Panel Member
Gunter Muecke, Joint Review Panel Member