



NIRB File No. 05MN047

March 6, 2013

Carey Ogilvie
Head, Environmental Assessment North and Marine Programs
Environment Canada
Prairie and Northern Region
#301-5204 50th Ave.
Yellowknife, NT X1A 1E2

Sent via email: carey.ogilvie@ec.gc.ca

Re: NIRB Request for Environment Canada's Advice Regarding HBML's Proposed Suspension of Incinerator Stack Testing at Doris North Gold Mine

Dear Carey Ogilvie:

On January 31, 2013, the Nunavut Impact Review Board (NIRB or Board) received Hope Bay Mining Ltd.'s (HBML) Monitoring and Follow-Up Plan for the Doris North Gold Project (NIRB File No. 05MN047). The Monitoring and Follow-Up Plan included information which indicated that annual incinerator stack testing would not be required while the Doris North site is in care and maintenance¹. Further telephone discussions between HBML representatives and the NIRB's Monitoring Officer have confirmed HBML's desire to discontinue these tests during care and maintenance of the Doris North project.

On September 15, 2006, following the Board's extensive public review of the Doris North Gold Project the NIRB issued a Project Certificate (No. 003) for the Doris North Gold Project in accordance with section 12.5.12 of the Nunavut Land Claims Agreement (NLCA) which included terms and conditions relating to air quality; noting specifically, that term and condition 30 states:

"MHBL will install and fund an atmospheric monitoring station. This station and its location shall be developed in consultation with EC and HC air quality officials and focus on particulates of concern generated at the mine site. The results of air-quality monitoring are to be reported every six (6) months to NIRB through the Monitoring Officer, and from there to all of the parties.

¹ Monitoring and Follow-Up Plan Rev. 2.1, Table E-1, pp. x (January 2013). Available at: <http://ftp.nirb.ca/03-MONITORING/05MN047-DORIS%20NORTH%20GOLD%20MINE/02-MONITORING%20AND%20MANAGEMENT%20PLANS/MONITORING%20AND%20FOLLOW-UP%20PLAN/01-PLAN/130205-05MN047-Monitoring%20and%20Follow-Up%20Plan-IA2E.pdf>.

Commentary: NIRB expects the Canada Wide Standards for Dioxins and Furans and the Canada Wide Standards for Mercury will apply and should be followed including stack testing of incinerators."

In an email to the NIRB on January 23, 2013, HBML proposed to suspend further stack testing at Doris North while in care and maintenance, citing the following rationale as support for this approach:

- The compliance results of its 2012 monitoring efforts;
- Its intention to divert sewage sludge from its waste stream in 2013; and
- A planned reduction in the number of personnel to be accommodated at site.

Further to this proposed suspension, HBML also requested clarification regarding the frequency of stack testing, suggesting that in place of the annual stack tests, it be permitted to conduct system audits against the 2012 operations standards to ensure these standards are maintained.

The Monitoring Officer has undertaken a review of various materials² provided by HBML including its October 2012 Air Quality Management Plan, its Monitoring and Follow-up Plan and its 2012 Incinerator Stack Testing Compliance Report, as well as the Canadian Council of the Ministers of the Environment's Canada Wide Standards for Dioxins and Furans and for Mercury. Based upon this review, acknowledging the advice provided by Environment Canada with respect to air quality matters throughout the Board's assessment of the Doris North Project and as such has informed the issuance of the Project Certificate for the Project,, the NIRB requests that Environment Canada provide advice to the Board regarding whether and under what conditions HBML could be permitted to suspend incinerator stack testing and/or alter the testing frequency.

In addition to HBML's initial request, on February 28, 2013 the NIRB received correspondence from HBML requesting that in its consideration of the request to suspend stack testing, the Board also take into consideration, HBML's intention to potentially divert its sewage sludge from future Doris North waste streams; noting that the removal of sewage sludge from the incineration stream may be expected to reduce stack emissions.

The NIRB requests that Environment Canada comment on HBML's proposed suspension of incinerator stack testing while the Doris North Project remains in care and maintenance, and further, that Environment Canada clarify applicable thresholds which define the level of activity (i.e. care and maintenance, operations, closure) and/or levels of incineration (i.e. a certain tonnage per month or year) which would warrant a requirement for stack testing, that it identify whether under these or any other conditions, Environment Canada would support the suspension of incinerator stack testing, and finally, that Environment Canada comment on HBML's proposed approach to conducting system audits against 2012 operations standards in place of conducting annual stack testing. The NIRB also asks that Environment Canada's response indicate whether the comments provided have taken into consideration HBML's proposed diversion of sewage sludge from its waste stream, and, where this may have had relevance on the advice Environment Canada provides, that this be clearly communicated.

² Materials pertaining to management plans for the Doris North Project as referenced here are available from the NIRB's online registry at: <http://ftp.nirb.ca/03-MONITORING/05MN047-DORIS%20NORTH%20GOLD%20MINE/02-MONITORING%20AND%20MANAGEMENT%20PLANS/>.

The Board respectfully requests that Environment Canada provide comments regarding this matter, or a timeline for a response, to the NIRB by **March 27, 2013**. If you have any questions or require further clarification related to the request for Environment Canada's comment, or with respect to the NIRB's monitoring of the Doris North Gold Mine Project, please do not hesitate to contact me directly at (867) 983-4606 or gsorensen@nirb.ca.

Sincerely,



Glenn Sorensen, EP
Technical Advisor & Doris North Gold Mine Project Monitoring Officer
Nunavut Impact Review Board

cc: Chris Hanks, Hope Bay Mining Ltd.
Dave Fox, Environment Canada
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