From: David Hohnstein
To: eva.paul@ainc-inac.gc.ca; andrew.keim@aadnc-aandc.gc.ca
Cc: "Phyllis Beaulieu"
Subject: RE: Questions for NWB regarding Hope Bay Belt Licences
Date: Friday, September 07, 2012 12:18:49 PM

Good afternoon Eva,
I am following up on the email sent to Phyllis this morning to hopefully provide some clarity to the Doris project and their temporary closure plans going into care and maintenance. The correspondence that the NWB received March 1, 2012 (which I believe was a followup to their previous commitment from the initial notification on January 31, 2012 to provide a report with the details of activity on site during care and maintenance), indicated that HBML planned to submit to the NWB in June 2012, detailed Care and Maintenance Plans which would address numerous items listed in the letter. This would be completed following meetings with the NWB, NIRB, AANDC, KIA etc., in order to meet the needs of all parties involved. With this commitment, the NWB did not formally request a C&M Plan. As you have indicated, this has not been provided.

The A&R Plan submitted with the application in 2006 included sections that address temporary and indefinite shutdown of operations (care and maintenance), however from what I can tell, this plan was to be revised/updated with a new interim A&R plan under the licence, as it stands production has not yet been initiated so a plan has not been submitted. With this in mind, I'm not sure if the initial A&R plan submitted and reviewed during the initial process can be used as default, likely not.

The DOH0713 licence did not include a specific requirement for a Care and Maintenance plan as these phases were thought to be covered under the A&R Plans as indicated above, however with the intended submission from MHBL, this was thought to be in order. The Meadowbank licence issued in 2008 did include a requirement to provide plans for care and maintenance along with the notification, so it has been addressed in later licences. The NWB has not indicated at any time that I am aware of, the HBML did not need to provide this information.

Please let me know if this helps, it does appear as though the NWB may need to provide a follow up letter to the March letter from HBML, requesting a further update and when to expect the submissions indicated. We have recently received the revised amendment/renewal application from HBML on the DOH0713 licence and on initial review, it does not appear as though a C&M plan, or revised plans to reflect C&M were submitted with this application, which is where we may look to request the outstanding information.

If you require further information or would like to set up a teleconference, possibly early next week would work, and we could involve our new executive director, Damien Cote in on the discussions.

Regards,
Dave Hohnstein
DTS, NWB

From: Eva Paul [mailto:Eva.Paul@aandc-aadnc.gc.ca]
Sent: Friday, September 07, 2012 7:22 AM
To: Phyllis Beaulieu <licensing@nunavutwaterboard.org
Cc: Andrew Keim
Subject: Questions for NWB regarding Hope Bay Belt Licences

Hi Phyllis,

I'm having trouble determining the direction that needs to be taken with respect to Doris. HBML anticipates vacating site mid-October. In March, they told the NWB and NIRB that they were working to produce detailed C&M plans. I have continued on the assumption that they were working on those plans. In my July inspection, I requested an update on their timeline, and that the C&M plans be submitted for review and approval prior to their entering into C&M. They did not respond to that request. Yesterday I copied you on a correspondence with HBML where I formally requested the plans.

I am fully aware that C&M plans were never included as a requirement of the licence, which I view as an oversight at the time. However, HBML now states that they don't think they should have to submit C&M plans because it's not explicitly required by the licence. I would like to know if the NWB has told them that they do not require to file C&M plans, because then my efforts need to be directed elsewhere. I feel that some consistent messages are important and I would like to know what the NWB stand is on this matter.

As a regulator, my job is to enforce the approved licence and plans. If they are operating outside of the approved licence or plans, then by definition they are non-compliant. This is why revised plans are important to me; I cannot do my job effectively if their plans are irrelevant to their actual activities. To what do we hold them responsible?

I would very much like to discuss this with yourself, and whomever at NWB is making decisions related to this file. It's pretty important that I understand the NWB perspective, because that is what I am supposed to enforce.

Would it be possible to arrange a short call on this matter?

Regards,

Eva Paul
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