

September 22, 2004

NWB File:
NWB1JER

Mrs. Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board
P.O. Box 119
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via Email to:
licensing@nwb.nunavut.ca

Dear Mrs. Beaulieu:

Re: NWB1JER – CONFORMITY ANALYSIS
Jericho Diamond Mine – Tahera Diamond Corporation.

The Government of Nunavut, Department of Environment (GN-DOE), is submitting its Conformity Analysis on Tahera Corporation Limited's Water License Application.

Following the request of the NWB this ‘Conformity Analysis’ refers to ‘subject-matters’ dealt in the documents submitted, rather than on the ‘content’s quality’ of those documents. Based on these criteria, it is GN-DOE’s opinion that Tahera’s Application ‘*generally conforms to the Guidelines*’, and it is our recommendation to NWB to proceed to public and technical hearings. GN-DOE reserves the right to evaluate, at a later date, the content’s quality of the documents presented in Tahera’s application, as well as any other requirement within GN’s jurisdiction.

The GN-DOE acknowledges that the company has submitted a large amount of information for this application; however GN-DOE considers that some of the information as presented is scattered and still needs more work on the details. For the benefit of the Company we are indicating areas (see attached Table) that need to be included in preparing more comprehensive plans.

Furthermore, it is not clear from reviewing the documents that GN Regulation and various Guidelines have been fully taken into consideration, in particular the following (which are available upon request):

- GN Regulation 'Spill Contingency Planning and Reporting'
- Spill Contingency Planning & Spill Reporting in Nunavut: A guide to the New Regulations
- GN Guideline 'General Management of Hazardous Wastes'
- GN Guideline 'Contaminated Site Remediation'

- GN Guideline 'Dust Suppression'
- Nunavut Spill Report form (In Inuktitut & English)

We would also like to inform the Company that due to Government re-structuring the Department of Sustainable Development (DSD) no longer exists; therefore references to the former DSD should be changed to 'Department of Environment'.

The GN-DOE thanks NWB for giving us the opportunity to comment on this phase of the Tahera Corporation Limited's Water License Application. Please contact me if you have any further questions or comments.

Sincerely,

Original signed by

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Guidelines Section No.	Title of Reference Document	Section, Page	Comment
4.1 (e)(iii)2.	Appendix J – AMEC Spill & Emergency Response	Appendix 5.1	Contingency measures for spills
4.1 (e)(iii)3.	Appendix J – AMEC Spill & Emergency Response	Appendix 5.1	Winter road material handling
4.1 (f)(i)	Appendix F, C, G, H	All	Wastes and chemicals descriptions
	Appendix T – SRK Tech. Memo M	3.2-3.3, p.8-13	Waste Rock & stockpile materials characterization Note: It will be useful to have a single 'summary table' with all wastes descriptions & amounts
4.1 (f)(ii)	Appendix T – SRK Tech. Memo M	2.5, p.5 3.1, p.8	Revision of wastes volumes
4.1 (g)(i)	Appendix T – SRK Tech. Memo M	2.5, p.5 3.1, p.8 4.1, p.15 4.2, p.16 Drawings M1 & M2	<i>Waste Rock & Stockpile mat.</i> Rate, timing and volume Approximate tonnage Location Foundation conditions (also for Recovery Plant Rejects) Not found
	Appendix W – SRK Tech. Memo P	3.1.1, p.7 5.1, p.16 5.2, p.16 5.3, p.18	<i>Processed Kimberlite (PK)</i> Characteristics, quantity Location Rate, quantity Foundation conditions
	Appendix S – SRK 2004 Drawings	G5-G7	Geology & terrain evaluation
4.1 (g)(ii)	Appendix T – SRK Tech. Memo M	3.3, p.10	Geochemical characteristic of waste rock
	Appendix W – SRK Tech. Memo P	3.1.2, p.8	Geochemical characteristic of PK Note: Should also include landfilled waste details
4.1 (g)(iii)	Appendix X – SRK Tech. Memo W	2.7, p.8	PKCA Contingency, no detail on treatment or storage in this

		3.4, p.14	reference Not clear on treatment or storage
	Appendix K - Spray Irrigation	All	Contingent treatment only
4.1 (g)(v)1.a	Appendix H - Landfill	5.2, p.5	Incineration for kitchen waste. No details for stored (non-incineration) wastes
4.1 (g)(v)1.b	Appendix G – Landfarm	2.0, p.1 3.0, p.3 4.0, p.3 4.8, p.6 5.0, p.7	On Construction On Operation On Management On Monitoring On Closure One drawing for layout
	Appendix H - Landfill	3.0, p.2 4.0, p.4 5.0, p.5 5.6, p.6	On Construction On Operation On Management On Closure No detail on Monitoring No detail on Maintenance No blueprints for landfill
4.1 (g)(v)1.c	Appendix G – Landfarm	Table 4.1, p.3	Petroleum contaminated soil/rocks No quantities estimation, yet layout illustrates Landfarm capacity
	Appendix H - Landfill	4.1, p.4	Types listed No quantities No deposit locations
4.1 (g)(v)1.d	Appendix G – Landfarm	2.0, p.2	Planned location only No reference for when waste rock dump expands
	Appendix H - Landfill	3.0, p.2	Planned location Relocation for when waste rock dump expands
4.1 (g)(v)1.e	Appendix G – Landfarm	4.0, p.3	Mentioned same system as EKATI, but no detail. Experimental bioremediation
	Appendix H - Landfill		No information on technology or case story
4.1 (h)(i)	Appendix F – Hazardous Materials Management	2.3, p.3	<i>Petroleum products</i> Handling

	Plan	2.4, p.5	Storage No detail on transport No detail on disposal
		3.1.3, p.8	<i>Plant Consumables</i> <i>* Ferrosilicon</i> Handling
		3.1.4, p.8	Storage No details on transportation & disposal
		3.2.3, p.8	<i>* Flocculants & Coagulants</i> Handling
		3.2.4, p.9	Storage No details on transportation & disposal
		3.3.3, p.9	<i>* Hydrofluoric acid</i> Handling
		3.3.4, p.10	Storage No details on transportation & disposal
		3.4.3, p.10	<i>* Hydrochloric acid</i> Handling
		3.4.4, p.10	Storage No details on transportation & disposal
		3.5.3, p.11	<i>* Acetone</i> Handling
		3.5.4, p.11	Storage No details on transportation & disposal
		3.6.3, p.12	<i>* Calcium hydroxide</i> Handling
		3.6.4, p.12	Storage No details on transportation & disposal
		Table 3.1, p.12	Disposal for 'low volumes' of used paints, used oil/filters & grease cartridges, rags & sorbents

	Appendix C – AMEC Ammonium Nitrate & Explosives	Attach. 6.1, p.B-1	Needs to include MANIFEST requirement as of Nunavut Guideline ‘General Management of Hazardous Wastes’ <i>Ammonium nitrate & explosives</i> No details on transportation & disposal
4.1 (h)(ii)	Appendix F – Hazardous Materials Management Plan		No evidence of fully taking into consideration GN Guideline ‘General Management of Hazardous Wastes’
4.1 (h)(iii)	Appendix J – Spill Prevention & Emergency Response Plan	All	Spill clean up Spill containment
4.1 (h)(iv)	Appendix J – Spill Prevention & Emergency Response Plan	4.2, p.19 Fig. 3.1, p.17 App. 5.1, Sec. 8.4, p.128	No detailed ‘external’ reporting protocol Not clear ‘If applicable’ condition to report to NWT/ NU Spill line Not clear flow of information from this flowchart <i>For trucking materials only:</i> Need to update Spill report form to Nunavut’s one. No form for spill reporting is indicated on main document (App. J) No evidence of fully taking into consideration GN Regulation ‘Spill Contingency Planning and Reporting’
	Appendix G – Landfarm	4.3, p.4	Internal reporting only No external reporting
4.1 (h)(v)	Appendix J – Spill Prevention & Emergency Response Plan		Not clear why “CCME guidelines consider irrelevant” Applicable for instance on Landfarm for soil remediation, indicated in GN Guideline ‘Contaminated Site Remediation’
4.1 (h)(vi)	Appendix F – Hazardous	Attach. 2.1	Could not find Attachment 2.1

	Materials Management Plan		
4.1 (h)(vii)1.	Appendix F – Hazardous Materials Management Plan Appendix C – AMEC Ammonium Nitrate & Explosives	Table 2.1, p.3 Table 2.5, p.5 3.0, p.8-13 Table 4.1, p.1 3.0, p.1	<i>Fuel & Lubricants</i> Quantity Storage location <i>Plant consumables</i> Quantity & storage <i>Ammonium nitrate & explosives</i> Quantity Location Note: All materials should be presented in one Table for easy access
4.1 (h)(vii)2.	Appendix J – Spill Prevention & Emergency Response Plan	All	Specific spill plan, including some info on tailings (PK fines)
4.1 (h)(vii)3.	Appendix J – Spill Prevention & Emergency Response Plan		To be completed after finalizing plan
4.3 (c)			See Guideline Section 4.1(h)
4.3 (e)(i)	Appendix H - Landfill	2.0, p.2	No evidence of fully taking into consideration GN Guideline ‘General Management of Hazardous Wastes’ & ‘Guideline ‘Contaminated Site Remediation’
4.3 (e)(ii)			See Guideline section 4.1(g)
4.3 (e)(iii)	Appendix G – Landfarm Appendix H - Landfill	4.0, p.3 5.0, p.7	Landfarm management only Landfill closure only
4.3 (e)(iv)			Not clear why ‘not accurately predicted’. Should benefit to include ballpark estimates and general ash composition
4.3 (e)(v)	Appendix H - Landfill	5.2, p.5	1 sentence on ash control dust. Should consider GN Guideline ‘Dust Suppression’
4.3 (e)(vi)	Appendix H - Landfill	4.1, p.4	Disposal details for non-combustibles is not clear