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CIDM #244370

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- Inspector's Direction -

I, Andrew Keim, duly designated Inspector pursuant to subsection 85 (1) *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, conducted an inspection of the Meliadine West Exploration Camp and associated drilling activities on August 2nd, 2008. During the Inspection I came to believe that Comaplex Minerals had violated the terms and conditions of its water licence and must undertake corrective actions to ensure continued compliance.

Under the current water licence, and as contained in **PART D: CONDITIONS APPLYING TO WASTE DISPOSAL** the following terms apply;

7. Unless otherwise approved by the Board, the Licensee shall contain all greywater in a sump located at a distance of at least thirty (30) metres above the ordinary high water mark of any water body, at a site where flow into a water body is not possible and no additional impacts are created.

During the period of inspection it was noted that the grey water discharge ran directly into the lake. The discharge, although located a distance of 30 plus meters above the ordinary high water mark did not contain the grey water discharge such that it did not enter the lake.

Also under **PART D: CONDITIONS APPLYING TO WASTE DISPOSAL**, Section 8 reads as follows;

8. Unless otherwise approved by the Board the Licensee shall dispose of all toilet wastes through incineration, chemical or composting toilets. Any remaining residue generated through the course of the operation shall be backhauled and disposed of in an approved waste disposal site.

During the period of Inspection it was noted that the Licensee had posted signs in the washroom requiring staff to urinate outside and not in the facilities provided.



As stipulated in subsection 12 1(b) of the Act : Except in accordance with the conditions of a License, no person shall deposit or permit the deposit of waste in any other place in Nunavut under conditions in which the waste, or any waste that results from the deposit of that waste, may enter waters in Nunavut. It is the opinion of the Inspector that clearly this direction to staff contravenes this section of the Act and license.

Further, under **PART I: CONDITIONS APPLYING TO ABANDONMENT AND RESTORATION OR TEMPORARY CLOSING**, Section 12 reads as follows;

12. Areas that have been contaminated by hydrocarbons from normal fuel transfer procedures shall be reclaimed to the satisfaction of an Inspector. The use of reclaimed soils for the purpose of back fill or general site grading may be carried out only upon approval by an Inspector.

During the period of Inspection an area behind the waste ore/ rock stockpile was noted as having a yellow tarp spread across the ground with gravel / material spread out on it. When questioned about this activity the Licensee advised the Inspector that this was contaminated soils removed from the fuel transfer area and placed in this location to air. This activity is not covered under the current license and given the location (close proximity to water run-off from the waste rock stock piles and a standing body of water, this may pose a hazard to water and the environment.

Contained in **PART H: CONDITIONS APPLYING TO SPILL CONTINGENCY PLANNING** the Licensee is required as follows;

5. The Licensee shall ensure that any chemicals, petroleum products or wastes associated with the project do not enter water. All sumps and fuel caches shall be located at a distance of at least thirty (30) metres from the ordinary high water mark of any adjacent water body and inspected on a regular basis. The Licensee shall provide secondary containment for fuel storage areas.

This is reinforced in **PART D: CONDITIONS APPLYING TO WASTE DISPOSAL** which in Section 10 conveys upon the Inspector the authority to ensure that any secondary containment in use for the purposes of storage of Bulk Fuel is adequate to contain and prevent their release into the environment.

10. The Licensee shall maintain, all constructed facilities, including the Bulk Fuel Storage Facilities, sumps and the containment area(s) to the satisfaction of an Inspector.

During the period of inspection it was documented that the Licensee had installed a portable containment structure for use as secondary containment. The Licensee had then



undertaken to haul crushed material and ring the sides of the containment with the material in an attempt to buttress the side walls of the containment units. The Inspector noted that the material has undergone a settling and deformation that has created a situation where the inside wall of the secondary containment now may act as a pathway and propel the pressure wave of fuel (in the case of a catastrophic failure) overtop and outside of the containment area.

By copy of this Order and under the authority vested in me pursuant to subsection 87 (1) (ii) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* **Comaplex Minerals Corporation** is directed as follows;

- Immediately cease the activity of urinating out of doors and to provide the Inspector within 30 days a plan to address this waste management issue.
- Within 30 days install flow meters on the intake for all domestic and drilling uses of water
- To within 30 days discontinue the discharge of grey water at the current location and install means by which grey water will not be deposited directly into Meliadane Lake.
- To undertake and provide within 30 days a report signed and stamped by an engineer certified and licensed to work in the Nunavut Territory, detailing the structural integrity of the installed secondary containment and the ability of that containment in it's current configuration to prevent the release of hydrocarbons into the environment.
- To undertake and provide to the inspector within 30 days a report detailing the capacity of the secondary containment currently in use for these Bladders taking into account the deformation of the surrounding material encroaching on the side walls of the containment structure. This report should also indicate if the current capacity of the secondary containment is adequate to hold 110% of the capacity of the bladder.
- To cease using the 2 aforementioned bladders contained at the site until such time as the reports noted above are submitted, reviewed and accepted by the Inspector.
- To install barrier devices and other adequate means to prevent accidental damage from mechanized vehicles prior to continuing to use the Bladders on site.
- Within 30 days apply to the Nunavut Water Board for an amendment to the current license to allow for land farming activities as found on site or to remove the noted contaminated soils from site within the same time period.
- To provide the results of all baseline sampling conducted in accordance with the issued Bulk Sampling license as per the Inspector's request made during the period of inspection.

Failure to comply fully or in part with an **Inspector's Direction** constitutes a offence under subsection 90 (1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and entails, upon summary conviction, a fine of \$100,000 or to imprisonment for a term of one year, or both.



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

Further pursuant to subsection 90 (4) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, each day on which the **Inspector's Direction** is not complied with shall be considered a separate offence.

If you have any questions or concerns, please do not hesitate to contact me at (867) 975-4289 or keima@inac.gc.ca

Andrew Keim

Sent by E-mail/ Original signed
and mailed this date

Inspector

Inspector's Signature

cc. Nunavut Water Board, Gjoa Haven
Bernie MacIsaac, Mgr. Field Operations, INAC