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Department of Environment

Ministère de l'Environnement

July 31, 2007

Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board

via Email to: licensing@nunavutwaterboard.org

**RE: NWB FILE # 2BE-BKL - DE BEERS CANADA INC. – BAKER LAKE
PROJECT WATER LICENSE AMENDMENT APPLICATION**

Dear Ms. Beaulieu:

The Government of Nunavut, Department of Environment (DOE) has reviewed the water license amendment application from De Beers Canada Inc. for the Baker Lake project. This project is related to diamond and uranium exploration approximately 120 km south west of Baker Lake. Based on the *Environmental Protection Act* and the *Keewatin Regional Land Use Plan*, the DOE has the following comments to make regarding spill contingency, abandonment & restoration, land use planning and heritage rivers.

1. SPILL CONTINGENCY PLAN:

Based on the DOE *Spill Contingency Planning and Reporting Regulations* and *A Guide to the Spill Contingency Planning and Reporting Regulations*, the DOE has the following comments to make:

- A site map that is intended to illustrate the facility relationship to other areas that may be affected by the spill. The map should be to scale and be large enough to include fuel/chemical storage area in relation to other camp facilities, drill sites, roads, culverts, drainage patterns, and any nearby bodies of water.
- There is discrepancy regarding the number of camps specific to this project, and this should be clarified. Based on project maps submitted, there appears to be three camps whereas the rest of the project proposal discussed the presence of only one camp.
- To prevent spreading in the event of a spill, fuel stored in drums should be located, whenever practical, in a natural depression a minimum distance

of 90 feet from all streams, preferably in an area of low permeability. All fuel storage containers should be situated in a manner that allows easy access and removal of containers in the event of leaks or spills. In addition, fuel caches should be inspected daily for fuel quantity of more than 20 drums.

- Type and amount of chemicals such as drill additives stored on site should also be included in the spill plan.
- The DOE monitors the movement of hazardous wastes including waste oil, from generators, carriers to receivers, through a tracking document (Waste Manifest). A Waste Manifest must accompany all movements, and all parties must register with the DOE. Please contact Robert Eno at the DOE at (867) 975-7748 or reno@gov.nu.ca for registration.

2. ABANDONMENT & RESTORATION

- Drill cuttings with a uranium concentration greater than 0.05% should be disposed of down the drill holes and sealed.
- Drill holes that encounter uranium mineralization with a content greater than 1.0 % over a length of more than 1 meter with a meter-percent concentration greater than 5.0 should be sealed by cementing over the entire mineralization zone and beyond (this should be at least 10 meters above and below each mineralization zone).
- Soil contaminated by fuel (e.g., soils under an old storage tank) should be treated on site or removed to an approved disposal site and replaced with new soil. Soils in the vicinity of fuel and/or chemical storage should be tested and disposed off if necessary.
- Drill holes should be backfilled or capped at the end of project. The sumps should only be used for inert drilling fluids, not any other materials or substances. The sumps should be properly closed out at the end of a project.
- Final inspections of the entire site should be conducted by the proponent and lead agency to make sure that all areas of the site have been reclaimed as much as possible to its previous condition. Soil samples and pictures before and after the project would make this process easy on the proponent and leading agencies involved in determining areas of concern.

3. LAND USE PLANNING

There is a concern that issuing of permits/license relating to exploration for uranium may lead to an expectation that further development of these projects will be permitted. The DOE is aware that Nunavut Planning Commission has

determined low level exploration for Uranium to be in conformity with the *Keewatin Regional Land Use Plan* but believes the proponent should be aware of the following provisions in the plan:

3.5 - Uranium development shall not take place until NPC, NIRB, NWB and the NWMB have reviewed all of the issues relevant to uranium exploration and mining. Any review of uranium exploration and mining shall pay particular attention to questions concerning health and environmental protection.

3.6 – Any future proposal to mine uranium must be approved by the people of the region.

4. THE CANADIAN HERITAGE RIVERS SYSTEM

The DOE is concerned regarding permit areas requested along a Canadian Heritage River, Kazan River, and it appears that one of the fuel caches is located very close to the River. Please note that The Canadian Heritage Rivers System (CHRS) is Canada's national program for freshwater conservation. In Nunavut, there are three designated Heritage Rivers (Soper, Kazan and Thelon) and one nominated river, the Coppermine. The objectives of the program are to give national recognition to Canada's outstanding rivers and to ensure long-term management that will conserve their natural, cultural and recreational values for the benefit and enjoyment of Canadians, now and in the future.

We ask the proponent to respect the values of the Heritage Rivers (refer to the management plans provided by CHR Board) and not to engage in any activity that would interfere or otherwise detract from the experience of tourists and Nunavummiut using the Heritage Rivers now and in the future. The management plan manages the rivers and area along them (**one kilometer** from each bank of the rivers). Further details of the management plan can be obtained at the DOE.

The DOE thanks the NWB for giving us the opportunity to review and provide comments on the Baker Lake project water license amendment application. Please contact us if you have any further questions or comments.

Yours sincerely,

Original signed by

Helen Yeh
Environmental Assessment Coordinator
Department of Environment
Government of Nunavut