COMMENT FORM FOR NIRB SCREENINGS

The Nunavut Impact Review Board has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. In order to assess the environmental and socio-economic impacts of the project proposals, NIRB would like to hear your concerns, comments and suggestions about the following project application:

Project Title:	Amendment to LUP Camp & Mineral Exploration		
Proponent:	Committee Bay Resources		
Location:	Hayes Lake Campsite		
Comments Due By:	March 19, 2004	**NIRB #**	**04AN016** Cross Reference 04AN003 / NWB2CRA0305

INAC File #: 9545-2-2-CRA-G

Indicate your concerns about the project proposal below:

G	no concerns	**G**	traditional uses of land
G	water quality	**G**	Inuit harvesting activities
G	terrain	**G**	community involvement and consultation
G	air quality	**G**	local development in the area
G	wildlife and their habitat	**G**	tourism in the area
G	marine life and their habitat	**G**	human health issues
G	marine mammals and their habitat	**G**	other
G	fish and their habitat		
G	heritage resources in area		

Please describe concerns indicated above:

- This application appears to be a virtual duplicate of a previous application – NIRB # 04EN003 – from the same proponent; the latter which the reviewer provided comments for on February 13.
- The application indicates that this is an amendment to an existing Land Use Permit, however, it is not clear which permit they are referring to. Was a permit issued under NIRB application 04EN003?
- It is not clear to the reviewer, what changes/amendments are being requested that are over and above those which were requested in NIRB application 04EN003.
- Assuming that the proponent intends to employ the same Environmental Procedure Plan for Exploration and Remote Camps, as they submitted in NIRB Application 04EN003, INAC does not have any serious concerns with this project.

Do you have any suggestions or recommendation for this application?

1. The proponent's spill plan – which was already vetted by the reviewer through NIRB application 04EN003 – needs some work. A copy of that spill plan review is appended to this document for the proponent's edification.

2. Also appended to this document are a set of standard guidelines and recommendations for mineral exploration and other land use activities. The proponent is encouraged to observe these wherever applicable.

Do you support the project proposal? Yes ž **No** ž **Any additional comments?**

INAC has no objections to this proposal, however, approval should be contingent upon the proponent submitting a revised spill contingency plan that meets the requirements set forth in Section 4 (2) of the GN/GNWT *Spill Contingency Planning and Reporting Regulations* and further re-iterated in the attached Spill Contingency Plan Review.

Name of Person Commenting	Robert Eno	**of**	Iqaluit
Position	Water Resources Coordinator	**Organization**	Indian and Northern Affairs Canada - Water Resources Branch
Signature		**Date**	March 18, 2004

Standard Recommendations and Guidelines for Land Use and Mineral Exploration Activities

Legislative Authority

Indian and Northern Affairs Canada (INAC), Water Resources Division, derives its regulatory mandate from the *DIAND Act,* and the *Nunavut Waters and Nunavut Surface Rights Tribunals Act*. The latter Act essentially forbids the deposition of a waste into Nunavut waters, except under certain regulated terms and conditions dictated (as in a Water Licence) by the Nunavut Water Board. A waste is defined as any substance which, when deposited into the water, will alter its quality to the detriment of fish, animals, humans or plants.

In reviewing land use and other permit applications, INAC Water Resources Division observes, in addition to our own legislation, other pertinent Federal Acts and Regulations such as the *Fisheries Act*, the attendant *Metal Mining Effluent Regulations* and the *Canadian Environmental Protection Act* ("CEPA").

In addition to Federal Acts and Regulations, the Territorial governments in Nunavut and the NWT have adopted a number of very useful regulations and guidelines under their respective Environmental Protection Act (s). INAC believes that these Acts, Regulations and in particular, guidelines, are quite helpful in assisting proponents to tailor their projects in such a manner that ensures that they will be in compliance with the overall spirit and intent of the various pieces of environmental legislation that govern development activities in Nunavut. These regulations and guidelines include but are not restricted to: *Spill Planning and Reporting Regulations*; *Environmental Guideline for the General Management of Hazardous Waste*; *Environmental Guideline for Industrial Projects on Commissioner's Lands*; *Environmental Guideline for Industrial Waste Discharges* and the *Environmental Guideline for Site Remediation*. INAC advises the proponent to contact the Government of Nunavut, Department of Sustainable Development for further details.

Spill Contingency Plan

The applicant should have a contingency plan for responding to chemical, petroleum and other spills which might occur during the proposed activity. The Spill Contingency Plan should be a stand-alone document and should contain as a minimum, the following information:

1. The name, address and contact number for the person in charge, management or control of the contaminant (in this case, fuel oil and any other chemicals associated with the program).

2. The name and address and telephone number of the employer.

3. The name, job title and 24 hour contact number for the person or persons responsible for activating the spill plan.

4. A detailed description of the facility, including its geographic location – in UTM coordinates (map sheet number, Eastings and Northings) and geographic coordinates (Lat/Long) – size and storage capacity.

5. A description of the type and amount of contaminants stored on site.

6. Steps taken to report, contain, clean up and dispose of a spill.

7. A site map of sufficiently large scale to show the location of buildings, contaminants storage areas, sensitive areas such as water bodies, probable pathways of contaminant flow and general topography.

8. A description of the spill response training provided to employees who will respond to a spill.

9. An inventory and location of the response and clean up equipment available to the spill clean up team.

10. The means by which the spill plan is activated.

11. The date that the spill plan was prepared.

It should be noted that some of the above information requirements may be waived where they are considered to be unreasonable or unnecessary. This will be determined on a case by case basis.

The Government of the Northwest Territories' Environmental Protection Service developed a very useful set of *Spill Planning and Reporting Guidelines* to complement their *Spill Contingency Planning and Reporting Regulations*; both of which were adopted by the Government of Nunavut in April,1999. Environment Canada also developed their own *Guidelines for the Preparation of Hazardous Material Spill Contingency Plans*. The proponent is advised to obtain copies of these documents as they contain a great deal of useful information that will assist them in developing/updating their spill contingency plan. If the proponent is unable to obtain copies of these documents, INAC will be pleased to provide electronic copies upon request.

Fuel Storage

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 30 meters 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 inspection as well as removal of containers in the event of leaks or spills. Large fuel caches in excess of 20 drums, should be inspected daily. Additionally, the proponent is strongly advised to keep a written log of the inspections. For long term storage (> 6 months), it is strongly recommended that drummed fuel be stored on pallets to prevent the bottoms from rusting out.

Chemical Storage

All chemicals should be stored in a safe and chemically-compatible manner a minimum of 30 meters from all bodies of water. The applicant should be required to remove unused chemicals for reuse or disposal to an approved site using methods approved by the Land Use Inspector. Material safety data sheets (MSDS) should be provided for each chemical and should be posted in a central location; accessible by all camp personnel. Camp personnel should be conversant in the handling of these chemicals as well as be able to deal with any accidents or spills involving that chemical.

Location of Hazardous Materials

Hazardous materials stored on-site should be marked so they will be visible under all conditions, in all seasons. This recommendation is intended to prevent possible injuries to camp personnel and/or damage to the containers. Unless otherwise specified by the land use inspector or licence -issuing agency, all hazardous materials should be removed from the site upon completion of the activity.

Waste Oil/Waste Fuel Disposal

Waste oil and waste fuel should be removed and returned for recycling or destruction when the land use activity is completed. Alternative methods of disposal that provide an equivalent level of environmental protection will be considered on a case-by-case basis.

Used Drums

Used fuel and oil drums should be removed from the site, returned for deposit, or reused.

Contaminated Soil

Soil contaminated by fuel (e.g., soils from under a old storage tanks) can be treated on site, such as by landfarming, incineration or thermal desorbtion; or it should removed to an approved disposal facility and replaced with new soil.

Winter Roads

- Existing winter road routes and trails should be used whenever possible, to avoid unnecessary land clearing and disruption of site hydrology.
- Speed on winter roads should not exceed: 30 km/hr for fully loaded vehicles; 50 km/hour for empty vehicles.
- Trucks should carry at least 10 square meters of polyethylene material (for lining a trench or depression), a spark-proof shovel & oil absorbent blankets or squares.
- Trucks should carry reliable radio and/or satellite phone communications.
- Trucks should carry sufficient response equipment for the safe removal of fuel from an overturned tanker (such as hatch cone covers, hoses etc).
- In general, the proponent should be fully prepared to deal with spills resulting from vehicle accidents along the road in a timely and efficient manner.

Drill Sumps

- The sumps should only be used for inert drilling fluids, not any other materials or substances. All sumps should be constructed of materials that normally exhibit low permeability and in a manner that prevents intrusion of runoff water.
- All drilling waste should be contained in the drill waste sump at a minimum of one (1) metre below the active layer of permafrost. In the event the initial sumps do not consist of low permeability materials, the proponent should construct an offsite sump which fulfills the aforementioned requirements.
- Drilling fluids from the sumps should not be permitted to enter into any waters or onto any land surface where the drilling fluids may enter any waters.
- If during the drilling, an artesian aquifer is encountered producing water flowing at the surface, the proponent should immediately notify the licencing/permitting agency. Samples of the water may be required for analysis.
- Drilling additives or muds shall not be used in connection with holes drilled through lake ice unless they are re-circulated or contained such that they do not enter the water, or are demonstrated to be non-toxic.

Garbage Disposal

Garbage should be removed from the camp periodically; alternatively, all combustible wastes can be incinerated on site and non-combustibles collected and removed upon termination of the activity. INAC is willing to review any proposal which provides acceptable levels of environmental protection and meets current best practices.

Incineration

For camps of less than 10 people, it is recommended that a burn barrel be employed to dispose of the combustible wastes. A burn barrel is essentially a 45-gallon drum or equivalent, with a hole cut into the bottom to facilitate air intake, and is closed at the top with a lid and a chimney for the exhaust. INAC does not consider burning wastes in a burn barrel to be true incineration, however, for small camps, this is an acceptable means to deal with combustible wastes. The burn barrel should be operated so that a high temperature burn is maintained at all times. This will promote complete combustion and eliminate pollutant and odour concerns.

For camps of more than 20 people, it is recommended that a properly-designed, commercially-available incinerator be used to manage wastes. Once again maintaining a high temperature burn to reduce wastes and prevent the creation of toxic by-products, is imperative.

Kitchen wastes, cardboard, paper products, packaging and untreated wood wastes are suitable for incineration in a burn barrel and an incinerator. Industrial wastes and non combustible wastes should be removed from the camp and disposed of at a designated landfill or other approved facility. Under no circumstance should hazardous wastes be managed through open burning or incineration.

For camps of greater than 50 people, it is recommended that a municipal waste incinerator, which produces emissions that meet CCME air quality guidelines, be used to dispose of camp wastes. The manufacturer will specify operating conditions and types of wastes that can be disposed of in the incinerator in order to meet the specified CCME standards. It is recommended that municipal waste incinerators be operated to meet manufacturer specifications.

Greywater & Sewage

For small temporary camps, sewage and greywater can be deposited in a sump or pit which must be located at least 30 meters from the high water mark of any water body. Open pits should be regularly treated with lime to avoid attracting animals and for general pest/insect control. Upon cessation of the project, pits and sumps should be treated with lime and in-filled with native soil.

For larger camps, it may be necessary to construct more elaborate sewage and greywater management systems. INAC will address these on a case by case basis. It is strongly recommended that the proponent consult the Department of Health for further recommendations.

The aforementioned recommendations are a brief outline of what INAC suggests that a proponent should be implementing to mitigate any damage or alterations to the environment during the course of their proposed activities. In terms of legal compliance, the proponent is referred to the various Federal and Territorial Acts mentioned earlier in this document and which directly or indirectly govern land and water use activities in Nunavut.

Indian and Northern Affairs Canada Spill Contingency Plan Review

Committee Bay Resources Ltd. Crater Lake/Hayes Camp.

Comments: **(Originally submitted in response to NIRB application 04EN003)**

Overall, the proponent has done a thorough job in developing their spill plan, however, the reviewer has the following comments and suggestions to offer:

1. While the proponent has provided, in the body of the application, an inventory of contaminants in their control they have not included it with the spill plan. Please note that a spill plan should be treated as a separate, stand-alone document. It should be kept in mind that while first response/regulatory agencies keep copies of spill plans, they may not necessarily have the accompanying documents, such as exploration permit applications.

2. The proponent should update their list of government contacts for the Territorial and Federal government agencies that are listed in their plan; all of whom have offices in Nunavut.

    - The Government of the Northwest Territories Environmental Protection Service no longer has regulatory authority in Nunavut. The Department of Sustainable Development (DSD), Government of Nunavut assumed this role as of April 1st 1999. DSD is headquartered in Iqaluit.

    - Environment Canada, the Department of Fisheries and Oceans and DIAND all have regional offices in Iqaluit, Nunavut.

3. It should be noted that DIAND does not have a spill line. There is only one spill line for the NWT/Nunavut.

4. The proponent provided, in the body of their application, site maps for each of the camps as well as an overall site map showing the location of the activities in the application. These maps should be duplicated and included as a component of the spill plan. The site maps clearly identify the location of structures and contaminants storage areas, however, they should also indicate likely pathways of contaminant flow (in the event of a spill), potentially sensitive areas, such as water bodies, and general topography.

5. The proponent has indicated that their personnel will receive spill response training. A description of the training should be included with the spill plan (such as a course outline, duration of training etc.). This information is useful to regulatory agencies in that it allows them to determine how well-prepared a proponent is to deal with accidental spills. Proper training of the spill response crew is one of the key elements of an effective and efficient response. It is strongly recommended that personnel be provided with basic spill response training; preferably the type of training which includes practical, hands-on exercises.

6. The proponent should provide a complete inventory of spill clean up equipment that will be available for use at each site.

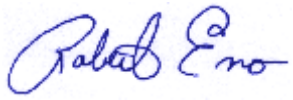
7. The reviewer appreciates the details provided in the proponent's spill plan. The proponent made reference to the GNWT's *Spill Contingency Planning and Reporting Regulations*, which were also adopted by the Government of Nunavut in 1999. It is suggested that the proponent obtain a copy of the *Guide to the Spill Contingency Planning and Reporting Regulations*. This guide was originally developed by Environmental Protection Service of the Government of the Northwest Territories to complement the aforementioned regulations. The proponent is also directed to a document developed by Environment Canada's Yellowknife office in 1990 entitled: *"Guidelines for the*

Preparation of Hazardous Material Spill Contingency Plans". The proponent may find these guidelines to be helpful in fine tuning their spill plan.

8. The body of the proponent's application contains a lot of information which would be useful to the spill plan, such as site and topographic maps, inventories of equipment and materials, site locations and their proximity to communities. To repeat an earlier comment: the spill plan should be treated as a separate stand-alone document; a such, the proponent should include this information with the spill plan, as well as in the body of their application.

9. The reviewer is willing to address any questions that the proponent may have regarding spill contingency plans.

Review Date: February 13, 2004
Reviewer: Robert Eno



Amendment to point # 2; first bullet:

Subsequent to the submission of the above comments, the Department of Sustainable Development underwent a major re-organization. The newly-formed Department of the Environment, Environmental Protection Service, is now responsible for the administration of territorial environmental legislation. At the time of writing this document, the reviewer does not have any specific names. It is suggested that the proponent contact the Government of Nunavut for further details.