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August 11, 2003

Hugh Wilson
Manager, Environmental Affairs
Hope Bay Joint Venture
311 West First Street
North Vancouver, BC V7M 1B5



Indian and Northern
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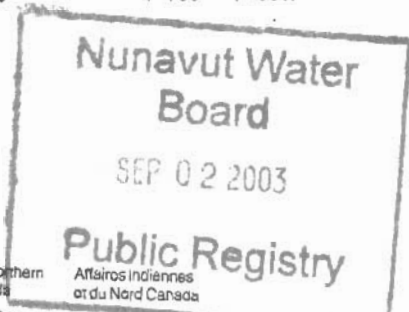
Affaires Indiennes
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Deposit of Waste in Contravention of Water Licence NWB2HOP0002 and Failure to Remediate Spill Site to the Satisfaction of the Inspector

- Inspector's Direction -

I, Constantine Bodykevich; duly designated Inspector pursuant to subsection 85 (1) *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, conducted on July 10, 2003 an Inspection of the Spill site 03-498 (Doris North Camp).

As stipulated in subsection 12 (2) except in accordance with the conditions of a licence, no person shall deposit or permit the deposit of waste in any other place under conditions in which the waste, may enter waters in Nunavut.

At the time of the drafting of this letter Mirmar Hope Bay was in contravention of subsection 87 (1) Failure to take such reasonable measures as the Inspector may specify, of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*.

On March 20, 2003 Mirmar Hope Bay was directed by the WRO to have all fuel containment and storage equipment will be stored in an area that is equipped with secondary spill protection. This spill protection will include a berm to prevent the unauthorized release of chemical or fuel from all storage and transfer vessels. An impermeable liner will be installed within all berm areas to eliminate the escape of spilled chemicals. All berm areas are to be monitored for snow and water accumulation to insure sufficient spill containment volume (at least 120%) of all storage containers. Prior to discharge of snow or water from berm area, contents are to be tested for chemical or oil content and if required berm contents will be drummed and shipped off site for destruction or recycling by a Licenced Hazardous Waste Treatment Facility.

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030811NWB2HOP DIAND SpillSite Insp.-ILAÉ

As such, under the authority vested in me pursuant to subsection 87 (1) (ii) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, I hereby direct, **Mirmar Hope Bay Limited to immediately take all reasonable measures to prevent further unauthorized releases of fuel and or fuel oil, and to, where possible, remedy the adverse effects of such waste already deposited. These reasonable measures shall include, but are not limited to:**

- ☐ **Immediately construct berms around all fuel storage tanks generators and associated fuel transfer areas.**
- ☐ **Ensure that all personnel working at all camps (Boston, Windy and Doris) are trained in proper fuel handling and spill mitigation techniques. Provide the Inspector a copy of the material used in fuel handling training and a copy of employees training conformation.**
- ☐ **Immediately remove any contaminated soil to 45 gallon drums or similar storage in preparation for removal south, for proper destruction by a Licenced Hazardous Waste Treatment Facility.**
- ☐ **Ensure that all contained contaminated material is maintained in such a way as to eliminate the potential for further contamination. Registration of all hazardous wastes stored more than 180 days.**
- ☐ **Relocate the two fuel vaults at Doris North to a location that has less potential for tank spills to enter the adjacent water. This location will be to the satisfaction of the officer.**

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. 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.

I have enclosed a copy of the CCME standards for petroleum hydrocarbons in soil. If you have any questions or concerns, please do not hesitate to contact me at (867) 975-4298 or bodykevichc@inac.gc.ca.

Sincerely,



Constantine Bodykevich
Water Resources Officer,
INAC - Nunavut District
P.O. Box 100, Iqaluit, NU, X0A 0H0

cc. -Nunavut Water Board, Gjoa Haven