



NWB Tools

Ida Porter <ida.porter@nwb-oen.ca>

Fwd: 2BM-ULU1520 - Compliance Summary

Eva Paul <Eva.Paul@aandc-aadnc.gc.ca>
To: Licensing Department <licensing@nwb-oen.ca>

Thu, Feb 9, 2017 at 4:07 PM

FYI. I forgot to copy you earlier.
Eva

>>> Eva Paul 2/9/2017 3:27 PM >>>
Hi Karyn and thank you for the update.

I have discussed the outstanding compliance issues and environmental hazards at the Ulu site with Wynter at the KitlA, and I will be working with her to ensure that, even if tenure issues remain unresolved in 2017, there will be a mechanism to ensure that BCC/WPC can carry out their obligations under this water licence. The fact remains that the majority of these issues should have been addressed long prior to 2016 as they were identified in several past inspection reports. As with the issues at Lupin, I will issue a Direction if/when necessary but I would hope that the project can be brought into compliance without entering the enforcement realm.

I have not received a workplan as requested in item B of the 2016 inspection report of October 20, 2016 (due January 31, 2017).

As a result, I have refreshed the compliance review I did in 2015. The table is large and maybe not straightforward, but I wanted to demonstrate the lack of movement on issues at site over the 5 years I have been inspecting this project. The first section (Inspector's Observations) is the comments provided in the inspection reports that may or may not have had associated 'actions required', but remain relevant to compliance with licence conditions. I have categorized the comments by the relevant Part of the licence or Act. Issues that have cropped up year after year are shown horizontally.

The second section is the specific actions (Inspector's Instructions) that were required of BCC in the successive inspection reports. Again, I have categorized them by subject, and repeated issues are shown horizontally. The colour shows whether or not the requirements were met, and by the specified dates. There is a lot of red in the table, and therefore a lot of outstanding compliance issues. This table should be used to guide the workplan that was due January 31. I am now requesting this plan by February 28, 2017.

This project, and BCC's situation are not unique, and my expectations of compliance with the licence and the law are the same for BCC as with other licensees in Nunavut. I have given BCC every opportunity improve compliance with this licence. BCC thus far has completely disregarded the licence conditions and the requirements of the inspector, year after year. I expect your prompt attention to this matter, and an improvement of conditions at site and with compliance in general in 2017.

Regards,

Eva Paul

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>>> Karyn Lewis <klewis@elginmining.com> 1/19/2017 8:51 AM >>>

Hi Eva,

I hope you had a wonderful holiday season and enjoyed your time off. I look forward to working together in 2017.

Please find below responses to the priorities at Ulu based on your inspection report dated July 6-7, 2016.

As you are aware, Bonito Capital Corp. was unable to access site to conduct the work required in your inspection report until September so they were limited in the work they were able to complete. The day the work crews arrived at site snow fall began and this further hindered their ability to complete all the tasks. The tasks that were not completed this year, Bonito will make every effort to work with the KIA to gain access during the summer months to complete all the work requested by the Inspector including the items listed below.

- Review the 2013-2015 inspection reports, and create a work plan for 2017 that will address all of the outstanding work, and including the items identified below. This work plan is to be submitted to the Inspector for review and approval by **January 31, 2017**. Failure to address these deficiencies according to the approved plan will result in enforcement action.
- Conduct a visual assessment of all culverts on site, and provide a report including: GPS coordinates of each, culvert condition, whether flow is possible or obstructed in any way. This report shall be submitted to the inspector by **September 30, 2017**.
- Conduct a visual inventory of all the known drill holes, as per the list provided to the inspector in 2015 (approximately 365 holes). Each drill hole shall be inspected for compliance with Part I items 13 and 15, and any other relevant conditions of the licence. The Licensee shall reclaim each hole that does not satisfy these conditions to a pre-disturbed state, including contouring, cutting of drill casings or collars flush with the ground, and any other remediation required (spills, debris etc). The Licensee shall complete this work over the next **one (1) to three (3)** years, with a minimum of one third to be completed each year, beginning in 2017. A table shall be submitted to the inspector by **June 01** of each year, beginning in 2017, that lists the drill holes to be inspected in that year by hole number and location, and the dates the work will be undertaken. The Licensee shall submit by **September 30**, of each year, beginning in 2017, a table that describes each drill hole completed by number; location; whether it satisfied the licence conditions; and where no, confirmation that the hole was reclaimed. Photographs before and after are encouraged. Work is to be conducted in the snow-free season.

From 2015 Inspection (please review 2015 report which provides photos of the areas in question):

5. All hazardous (and unknown) waste is to be moved into SOUND secondary containment that meets the definition of 'secondary containment' in the current licence 2BM-ULU1520. *

Bonito completed the following:

- Sorted thru the waste drums by the mine storage pad
- Repack some of the waste into resalable drums ready for shipping
- Relocated 3 c-container at the mine storage pad
- Store inert waste outside the c-can
- Cover and store all hazardous waste in c-can away from the elements

- Cover and store all contaminated soil in c-can away from the elements
- All hazardous waste at the mine storage pad is secure in c-can and covered so water can't get into the drums.

6. All barrels of fuel are to be moved into SOUND secondary containment that meets the definition of 'secondary containment' in the current licence 2BM-ULU1520. *

Removal from site of any and all of the above would, of course, be preferable to storing it for any longer.

Bonito Capital completed the following:

Bonito relocated all waste drum from drive thru berm

- Liquid product to Main berm
- Contaminated soil to mine storage pad
- Removed the contents of any damaged drums into new drums and store them into the main berm.

Main Berm:

- Restack all waste drum in the center of the main berm
- Relocate all diesel drums to the drive thru berm
- Clean out blue c-can and store empty drum and fuel transfer hose
- Install Cam-lock Cap on some of the Vertical tank
- transfer some oil product from an old storage tank into drums

7. Spills are to be **reported** and addressed according to the approved Spill Contingency Plan. Steps are to be taken to a) stop the flow of hydrocarbons from the fuel storage pad, b) prevent any further migration of hydrocarbons down-slope from the fuel storage pad, and c) remediate the affected area.

The flow of hydrocarbons from the fuel storage pad is only easily visible when the sand is dry. I noted in 2015 that my photos showed the contamination clearly, but Andrew's (taken later and during a rain event) did not. This summer (2016) I recorded a GPS track of the perimeter of *what was visible on the surface*, which I have attached, along with the waypoints of the two shallow samples I took. Please note that this is a **starting point** of where sampling should occur to determine the extent of contamination; the actual extent under the surface may be greater. Please ensure qualified personnel are present to delineate the contamination and to guide the work.

Client Sample ID	Sample Type	Sample Collect Date	Parameter Name	Reported Result	Units
ULU Soil 1	Soil	08-Jul-16	F2: C10-C16	29	mg/kg
ULU Soil 1	Soil	08-Jul-16	F3: C16-C34	3740	mg/kg
ULU Soil 1	Soil	08-Jul-16	F4: C34-C50	1360	mg/kg
ULU Soil 2	Soil	08-Jul-16	F2: C10-C16	147	mg/kg

ULU Soil 2	Soil	08-Jul-16	F3: C16-C34	9690	mg/kg
ULU Soil 2	Soil	08-Jul-16	F4: C34-C50	2970	mg/kg

* "Secondary Containment" means an impermeable structure, external to and separate from primary containment, which prevents unplanned spills of hazardous materials and provides a minimum capacity of 110% of the original vessel. Where multiple vessels are stored within the containment, it must provide a minimum capacity equal to the sum of the largest vessel and 10% of the aggregate volume of all other vessels located in the containment. This structure shall also provide containment and control of hoses and nozzles.

Bonito Capital was unable to complete the work above due to the snow fall.

Bonito did install a spill boom at the North end of the drive thru berm to prevent future migration and all waste drums were removed from the berm.

Time permitting:

- removal of the dock and any structures that may become waste in the water.
- repair to portal containment pond, in case it is required in the future

Also required (for 2017 spring freshet) from 2015 Inspection:

4. Establishment (and regular maintenance) of sediment control measures to prevent further sediment loading of streams that have been affected by road deterioration. These measures are to be put in place at freshet (**now 2017**).

Bonita completed the following:

- Installed silt fencing at 2 different location on the downstream side of the road around those coordinate (N66 51 59.75 W111 00 14.6)
- Cleaned 2 washouts with the excavator as best we could. We left a slight channel on the road, sloping downstream. The channel is shallow enough so you could drive thru.
- Additional work will be completed in 2017

Thank you for your patience in this matter and we anticipate a more fulsome work season to complete all the tasks in 2017.

If you have any questions or need further information please feel free to contact me.

Regards,

Karyn Lewis
Bonito Capital Corp.
778-386-7640

From: Eva Paul [<mailto:Eva.Paul@aadnc-aadnc.gc.ca>]
Sent: October-20-16 3:40 PM
Subject: Fwd: Priorities for Ulu

>>> Eva Paul 9/7/2016 9:52 AM >>>
Hi Karyn,

Thank you for your call, and for confirming that you now have a LUP from the KIA allowing you to conduct work at site. I understand that the LUP is of short duration, and as such am listing what I see as immediate priorities:

From 2015 Inspection (please review 2015 report which provides photos of the areas in question):

5. All hazardous (and unknown) waste is to be moved into SOUND secondary containment that meets the definition of 'secondary containment' in the current licence 2BM-ULU1520. *

- Sort thru the waste drums by the mine storage pad
- Repack some of the waste in resalable drums ready for shipping
- Relocated 3 c-container at the mine storage pad
- Store inert waste outside the c-can
- Cover and store all hazardous waste in c-can away from the elements
- Cover and store all contaminated soil in c-can away from the elements

Note: All hazardous waste at the mine storage pad is secure in c-can and covered so water can't get into the drums.

6. All barrels of fuel are to be moved into SOUND secondary containment that meets the definition of 'secondary containment' in the current licence 2BM-ULU1520. *

Removal from site of any and all of the above would, of course, be preferable to storing it for any longer.

Relocate all waste drum from drive thru berm

- ☐ Liquid product to Main berm
- ☐ Contaminated soil to mine storage pad

Note: We contain all visible leaky drums into new drums and store them into the main berm.

7. Spills are to be **reported** and addressed according to the approved Spill Contingency Plan. Steps are to be taken to a) stop the flow of hydrocarbons from the fuel storage pad, b) prevent any further migration of hydrocarbons down-slope from the fuel storage pad, and c) remediate the affected area.

The flow of hydrocarbons from the fuel storage pad is only easily visible when the sand is dry. I noted in 2015 that my photos showed the contamination clearly, but Andrew's (taken later and during a rain event) did not. This summer (2016) I recorded a GPS track of the perimeter of *what was visible on the surface*, which I have attached, along with the waypoints of the two shallow samples I took. Please note that this is a **starting point** of where sampling should occur to determine the extent of contamination; the actual extent under the surface may be greater. Please ensure qualified personnel are present to delineate the contamination and to guide the work.

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Time permitting:

- removal of the dock and any structures that may become waste in the water.
- repair to portal containment pond, in case it is required in the future

Also required (for 2017 spring freshet) from 2015 Inspection:

4. Establishment (and regular maintenance) of sediment control measures to prevent further sediment loading of streams that have been affected by road deterioration. These measures are to be put in place at freshet (**now 2017**).

Other:

A full inspection report from the July 2016 inspection will follow when time permits.

Please ensure that normal water use/waste disposal records are kept and that all reclamation activities are photographed and reported in the Annual Report.

Again, thank you for your call.

Regards,

Eva Paul

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2/9/2017

Nunavut Water Board Mail - Fwd: 2BM-ULU1520 - Compliance Summary



2BM-ULU1520 COMPLIANCE REVIEW FEBRUARY 2017.xlsx

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