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23 September 2011

Phyllis Beaulieu Manager of Licensing Nunavut Water Board P.O. Box 119 Gjoa Haven, NU X0B 1J0

Via email: <u>licensing@nunavutwaterboard.org</u>

## RE: 2BM-ULU0914 Spill Contingency Plan E,1

Environment Canada (EC) has reviewed the above-mentioned Spill Contingency Plan submitted to the Nunavut Water Board (NWB). The following specialist advice has been provided pursuant to the *Canadian Environmental Protection Act*, Section 36(3) of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

EC File: 4703 001 004

NWB File: 2BM-ULU0914

Elgin Mining Inc. has submitted a Spill Contingency Plan for the Ulu Exploration Project as a requirement of Part E, Item 1 of water license 2BM-ULU0914. Upon review of the Spill Contingency Plan, EC provides the following comments and recommendations for the NWB's consideration:

- Under Section 9.0, Appendix 1 Contact Information, of the Plan, under 'TELEPHONE LISTING', the listing for EC's 24-hour emergency pager number should be removed as it is no longer in service (page 40).
- Refuelling shall not take place below the high water mark of any water body and shall be
  done in such a manner as to prevent any hydrocarbons from entering any water body
  frequented by fish. EC recommends that drip pans, or other similar preventative measures,
  should be used when refuelling equipment.
- Spills are to be documented and reported to the NWT/NU 24 hour Spill Line at (867)920-8130. EC recommends that all releases of harmful substances, regardless of quantity, are immediately reported where the release:
  - is near or into a water body;
  - is near or into a designated sensitive environment or sensitive wildlife habitat;
  - poses an imminent threat to human health or safety; or,
  - poses an imminent threat to a listed species at risk or its critical habitat.

If there are any changes in the project EC should be notified as further review may be necessary. Comments previously submitted on behalf of EC regarding water license 2BM-ULU would still apply to this project. Please do not hesitate to contact the undersigned with any questions or comments with regards to the foregoing at (867) 975-4631 or by email at Paula.C.Smith@ec.gc.ca

Canada

Yours truly,

Paula C. Smith

**Environmental Assessment Coordinator** 

cc: Carey Ogilvie (Head, Environmental Assessment-North, EPO, EC, Yellowknife, NT) Ron Bujold (Environmental Assessment Technician, EPO, EC, Yellowknife, NT) Allison Dunn (Sr. Environmental Assessment Coordinator, EPO, EC, Iqaluit, NU)

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