

From: [Tyree Mullaney](mailto:Tyree.Mullaney@mvvlwb.com)
To: permits@mvvlwb.com
Subject: FW: Giant-Inspector
Date: Thursday, May 30, 2013 8:22:04 AM

MV2012\8-0010 – initial application – reviews and consultation

From: kevin o'reilly [mailto:kor@theedge.ca]
Sent: May 29, 2013 2:26 PM
To: Erika Nyssonen
Cc: tyree@mvvlwb.com
Subject: Re: Giant-Inspector

Thanks Erika. I independently verified what is going on and heard the same thing. Still a cause for concern as water inspections are not part of the regular duties of the RMOs and inspection capacity is still affected, perhaps not as badly as I originally thought. In case there is any misunderstanding, I have great respect for the inspectors as I think they have a very tough job.

Kevin

----- Original Message -----

From: Erika Nyssonen <Erika.Nyssonen@gov.nt.ca>
Date: Wednesday, May 29, 2013 14:18
Subject: Giant-Inspector
To: kevin o'reilly <kor@theedge.ca>
Cc: tyree@mvvlwb.com

Hi Kevin, Please see response below from District Manager with AANDC. All Inspectors are designed under both the MVRMA and the NWTWA, which is good news.

Erika

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The statement that we no longer have any Inspectors on staff designated under the Northwest Territories Waters Act is incorrect. All of our Inspectors are designated under both the MVRMA and NWTWA. In Yellowknife we currently have 5 Inspectors designated under the NWTWA. The confusion probably stems from the fact that we currently don't have any Water Resource Officers on staff. Our last WRO, Michael Martin left the department on May 25th. All of the high risk Water Licences that were Michael's responsibility have been distributed amongst the remaining 5 Inspectors in Yellowknife and 4 South of Great Slave Lake. Please let me know if you need any further information.

Scott

Scott Stewart
District Manager
Aboriginal Affairs and Northern Development Canada
South Mackenzie District

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From: kevin o'reilly [<mailto:kor@theedge.ca>]
Sent: Wednesday, May 29, 2013 1:11 PM
To: Erika Nyssonen
Subject: Fwd: Re: Concerns with AANDC Response to Submittals on MV2012L8-0010

as discussed...

----- Original Message -----

From: kevin o'reilly <kor@theedge.ca>
Date: Wednesday, May 29, 2013 8:59
Subject: Re: Concerns with AANDC Response to Submittals on MV2012L8-0010
To: tyree@mvlwb.com
Cc: Jane.Amphlett@aandc-aadnc.gc.ca, dkefalas@yellowknife.ca,
jblack@ykdene.com, tslack@ykdene.com, reganalyst@nsma.net

Tyree Mulvaney

Alternatives North has now had an opportunity to review the AANDC May 21, 2013 responses to the comments we provided on the Submittals-Roaster Complex Deconstruction. We ask that this e-mail be placed on the public registry for MV2012L8-0010.

We wish to thank you for pursuing several of our concerns (comments 23, 30, 41 and 45) that were not addressed in your e-mail of May 24, 2013 to AANDC. In future, we ask that such correspondence be copied to us directly.

We acknowledge that AANDC has addressed many of our original comments and that several important improvements and clarifications have been provided including:

- a written commitment to place at least one webcam at the site during deconstruction;
- exceedences of the Risk Based Action Levels will now be reported to the inspector and MVLWB;
- if air quality monitoring program equipment is not functioning, work will stop at the site;
- the air quality monitoring program contractor has now retained air quality monitoring expertise;
- an on-site Emergency Response Plan drill is to be held in June 2013;
- waste audits will be conducted at the site;
- there will be no torch cutting of arsenic contaminated materials; and
- information sessions will be held for the residents of the Bayly residence and Giant Mine dock area regarding adaptive management of dust and air emissions during deconstruction activities.

AANDC also provided additional information on the air quality monitoring programs at the site. It would have been much more helpful to have the site-wide air quality monitoring plan when reviewing the Submittals documents. Given the additional information now available, we have a better understanding of the overall program. However, we still have some concerns we would like to have addressed as follows.

Although the live internet reporting of the community based air quality monitoring

stations (at Sir John Franklin High School, Niven Lake and Latham Island) is an improvement, we would recommend that the fenceline monitoring stations are much more important in terms of providing an early warning system and a much better indicator of site conditions and management responses. We ask that AANDC commit to live internet reporting of the fenceline stations.

We also note that monitoring at these sites is only to be conducted during operations, rather than 24-7. We recommend continuous monitoring (including over the winter months) that would ensure that should an accident or malfunction happen outside of regular work hours, that it would be detected as soon as possible, rather than as much as 12 hours or more later.

We had asked AANDC to provide a copy of the 2012 air quality monitoring program report. Some data from the report is summarized in the Dust Management Plan (page 14) and shows that PM10 levels ranged from 45.2 to 75.6 micrograms per cubic metre and that the Ambient Air Quality Criterion limit is 50. This data serves as a reality check when one considers the proposed Risk Based Action Levels set at 85-159 micrograms per cubic metre depending on the averaging period. Aside from our concerns on the assumptions that went into setting the Risk Based Action Levels (comments 42-45), it would appear that the Risk Based Action Levels have been set so high that regular site activities do not trigger any management responses whatsoever.

Lastly, it has come to our attention that AANDC no longer has any inspectors on staff designated under the Northwest Territories Waters Act. This raises serious issues around inspection and enforcement of the terms and conditions of this and other water licences. Given the significant potential for environmental and human health impacts from the Giant Mine Roaster Complex Deconstruction, it is alarming and unacceptable that there is no official empowered to carry out inspections and enforcement actions.

Thank you for the opportunity to bring forward these concerns and we look forward to a timely resolution of same. We are prepared to meet and discuss them with MVLWB and AANDC staff.

Kevin O'Reilly

Alternatives North