

From: [Tyree Mullaney](mailto:Tyree.Mullaney@mvlwb.com)
To: permits@mvlwb.com
Subject: FW: Concerns with AANDC Response to Submittals on MV2012L8-0010
Date: Thursday, May 30, 2013 8:17:20 AM
Importance: High

MV2012L8-0010 – Initial application - consultation and reviews

From: kevin o'reilly [mailto:kor@theedge.ca]
Sent: May 29, 2013 9:00 AM
To: tyree@mvlwb.com
Cc: Jane.Amphlett@aandc-aadnc.gc.ca; dkefalas@yellowknife.ca; jblack@ykdene.com; tslack@ykdene.com; reganalyst@nsma.net
Subject: Re: Concerns with AANDC Response to Submittals on MV2012L8-0010
Importance: High

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 fence line 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 fence line 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