



**Mackenzie Valley Land and Water Board**  
**7th Floor - 4922 48th Street**  
**P.O. Box 2130**  
**YELLOWKNIFE NT X1A 2P6**  
**Phone (867) 669-0506**  
**FAX (867) 873-6610**

October 5, 2016

File: MV2013C0021&  
 MV2014L2-0002

Mr. Dave R. Webb  
 New Discovery Mines Ltd.  
 1909 108 W. Cordova St.  
 VANCOUVER BC V6B 0G5

Email: [dave@drwgcl.com](mailto:dave@drwgcl.com)

Dear Mr. Webb:

**Spill Contingency Plan - Version 4 – Not Approved**  
**New Discovery Mines Ltd. (NDM) – Mon Gold Mine – Discovery Lake, NT**

The Mackenzie Valley Land and Water Board (MVLWB or the Board) met on October 5, 2016 to review your Spill Contingency Plan, Version 4 (Plan V.4), which was submitted September 19, 2016 to fulfill Part H, item 1 of Water Licence MV2014L2-0002 and condition 40 of Land Use Permit MV2013C0021.

At this time the Board is unable to approve the Spill Contingency Plan, V.4 as submitted for the following reasons:

- It is unclear if the information in the Plan V.4 accurately represents the conditions on site, as a majority of the Plan V.4 is a direct copy of the Indian and Northern Affairs Canada's *Guidelines for Spill Contingency Planning* template; and
- Some reviewer concerns and recommendations from the Plan V.3 were not addressed in the updated Plan V.4.

The Board requires that New Discovery Mines Ltd. update the Spill Contingency Plan to address the bullet points above, and with the updates outlined in Table 1 below. The revised Plan should be submitted, for approval, by October 19, 2016.

**Table 1: List of changes and updates required to be submitted**

Reviewer Comment Number	Required Updates
GNWT-ENR 2	The site map in Figure 2 was updated in Version 4 to show pathways of flow, however some of the numbers on this updated map are difficult to see, or overlap other values. The map remains of poor quality. It is difficult to determine certain values, as well as locations of hazardous material storage areas. This map shall be updated so that values are not overlapping and locations of hazardous material storage areas are clearly outlined.
GNWT ENR 3	The Spill Contingency Plan should be updated to expand on how and when containment booms would be deployed, specifically for NDM's site activities.

GNWT-ENR 4	Contingency plans should be added to the updated plan to address the circumstances described in this reviewer comment.
GNWT-ENR 5	The Spill Contingency Plan should be updated to describe the training to be provided to first responders. This includes, but is not limited to, if practical field exercises are incorporated in training, or if the exercises are table-top. Also, if training will be provided in house, or if NDM will be hiring an outside contractor.
GNWT-ENR 6	The Spill Contingency Plan shall be thoroughly updated to better reflect accurate conditions on site, rather than a cut and paste of the INAC Guidelines. A few specific examples of these copied sections include: a reference to 'Lake Invisible'; a reference to a 'response mobile unit without contact information; sections 1x, 1xi, 1xii (which references 'the company'), Section 2, all of Section 5 and much of Section 3 contain word for word paragraphs copied from the INAC Guideline. Please ensure all information in this Plan accurately reflects site activities.

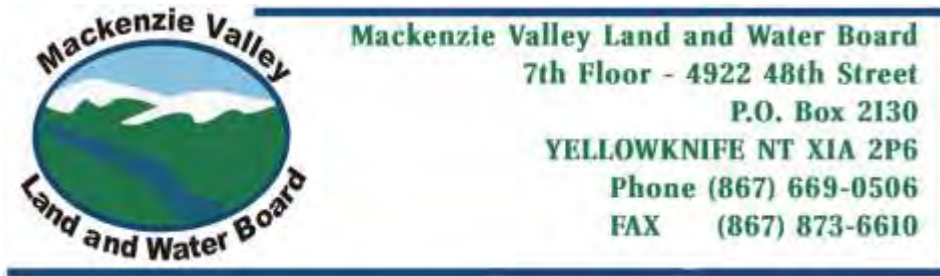
The full cooperation of New Discovery Mines Ltd. is anticipated and appreciated. If you have any questions or concerns, please contact Kierney Leach at [kleach@mvlwb.com](mailto:kleach@mvlwb.com) or (867) 766-7470.

Yours sincerely,



Floyd Adlem  
MVLWB, A/Chair

Copied to: Distribution List  
Reasons for Decision



### Reasons for Decision

Issued pursuant to Section 72.25 of the *Mackenzie Valley Resource Management Act* (MVRMA)

Type B Water Licence & Type A Land Use Permit	
<b>Preliminary Screener</b>	MVLWB
<b>Reference/File Number</b>	MV2014L2-0002 & MV2013C0021
<b>Applicant</b>	New Discovery Mines Ltd.
<b>Project</b>	Mon Gold Mine – Discovery Lake, NT Spill Contingency Plan

### Decision from Mackenzie Valley Land and Water Board Meeting of

October 5, 2016

#### Background

On July 3, 2014, Permit MV2013C0021 and Licence MV2014L2-0002 were issued to New Discovery Mine Ltd. (NDM). The Board's issuance letter noted that the Spill Contingency Plan must be revised in accordance with the comments made during the review and resubmitted for Board approval, prior to the commencement of construction of the project. NDM submitted the Spill Contingency Plan, Version 3 on August 12, 2016, to fill this requirement.

NDM also holds Land Use Permit MV2015C0015 and Water Licence MV2015L2-0004 for the Mon Gold Mine project, issued October 21, 2015. These two authorizations include milling facilities, a dry stack tailings facility, a landfarm, water use and deposit of waste, and other standard infrastructure including roads, an explosives storage area, accommodations, a sewage treatment plant, fuel storage, and use of equipment.

#### Public Review

NDM submitted Spill Contingency Plan, Version 3 (Plan V.3) on August 12, 2016, after which it was sent for public review. By September 8, 2016, comments and recommendations on the Plan V.3 were received from Environment and Climate Change Canada (ECCC) and Government of the Northwest Territories (GNWT) – Department of Environmental and Natural Resources (ENR).

NDM submitted their responses to reviewer comments on September 17, 2016, which was two days past the response deadline of September 15, 2016. Board staff uploaded NDM's responses to the Online Review System (ORS) on September 19, 2016. Also on September 19, 2016, NDM submitted an updated Spill Contingency Plan, Version 4 (Plan V.4) along with MSDS sheets that had not been submitted, to address comments received by reviewers during the review.

During the review, GNWT-ENR raised a series of concerns with the Plan V.3, some of which were not addressed in the updated Plan V.4. Overall, GNWT-ENR has pointed out that the Plan is almost a word for word copy of the example Spill Contingency Plan template contained in Indian and Northern Affairs Canada's (INAC) *Guidelines for Spill Contingency Planning*, making it very difficult to determine what information accurately represents the conditions on site, and what information is simply cut and pasted from the INAC Guidelines. GNWT-ENR recommended that the Plan V.3 not be approved, and that it be updated to include accurate site specific information.

In the updated Plan V.4, submitted on September 19, 2016, a few additional sentences were added, some of the incorrect names and numbers were updated, and an updated map was provided. However, much of the document remained a copy and paste from the INAC Guidelines. Table 1 below outlines the changes and updates requested by reviewers that were not addressed in the updated Plan V.4:

**Table 1: List of changes and updates required to be submitted**

<b>Reviewer Comment Number</b>	<b>Required Update</b>
GNWT-ENR 2	The site map in Figure 2 was updated in Version 4 to show pathways of flow, however some of the numbers on this updated map are difficult to see, or overlap other values. The map remains of poor quality. It is difficult to determine certain values, as well as locations of hazardous material storage areas. This map shall be updated so that values are not overlapping and locations of hazardous material storage areas are clearly outlined.
GNWT ENR 3	The Spill Contingency Plan should be updated to expand on how and when containment booms would be deployed, specifically for NDM's site activities.
GNWT-ENR 4	Contingency plans should be added to the updated plan to address the circumstances described in this reviewer comment.
GNWT-ENR 5	The Spill Contingency Plan should be updated to describe the training to be provided to first responders. This includes, but is not limited to, if practical field exercises are incorporated in training, or if the exercises are table-top. Also, if training will be provided in house, or if NDM will be hiring an outside contractor.
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**Decision**

After reviewing the submissions of the Applicant, the written comments received by the Board and the Staff Report prepared for the Board, the Board, having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope, and intent of the MVRMA and Regulations made thereunder, is unable to approve the Spill Contingency Plan, Version 4, as submitted September 19, 2016 to fulfill Part H, item 1 of Water Licence MV2014L2-0002 and condition 56 of Land Use Permit MV2013C0021. The Board requires the resubmission of the Plan to address the comments, updates, and commitments identified during this review. The revised Plan should be submitted, for approval, by October 19, 2016.

SIGNATURE

Mackenzie Valley Land and Water Board



October 5, 2016

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Floyd Adlem, A/Chair

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Date

## Amanda Gauthier

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**From:** Amanda Gauthier  
**Sent:** Thursday, October 06, 2016 9:37 AM  
**To:** 'dave@drwgcl.com'  
**Cc:** Kierney Leach; 'admin\_dkfn@northwestel.net'; 'Alexis\_Campbell@gov.nt.ca'; 'apower@ykdene.com'; 'barryt@arcticsafaris.ca'; 'boydw@bathurstinlet.com'; 'Brandon\_Bradbury@gov.nt.ca'; 'Carolc.lands@gmail.com'; 'Catherine\_BraunRodriguez@gov.nt.ca'; 'Ceo.srfn@northwestel.net'; 'Charlene\_Coe@gov.nt.ca'; 'chief.lkdfn@gmail.com'; 'chief.srfn@northwestel.net'; 'chief@slfn196.com'; 'christian.bertelsen@cannor.gc.ca'; 'clint\_ambrose@gov.nt.ca'; 'Colin\_merz@gov.nt.ca'; 'craigecologynorth@gmail.com'; 'dave.white@aurorageosciences.com'; 'david.alexander@cannor.gc.ca'; 'doug\_carr@gov.nt.ca'; 'ec.ea.nwt.ec@canada.ca'; 'esangris@ykdene.com'; 'exec@slema.ca'; 'fieldworker.frmc53@northwestel.net'; 'fisheriesprotection@dfo-mpo.gc.ca'; 'fortsmithmetiscouncil@northwestel.net'; 'frmc@northwestel.net'; 'Gary.Woo@neb-one.gc.ca'; 'Glen\_Mackay@gov.nt.ca'; 'gnwt\_ea@gov.nt.ca'; 'Heather\_Beck@gov.nt.ca'; 'Hilary\_machtans@golder.com'; 'hrmc@northwestel.net'; 'ima\_dkfn@northwestel.net'; 'Iqbal\_Arshad@gov.nt.ca'; 'Jayda\_Robillard@gov.nt.ca'; 'jblack@ykdene.com'; 'Jeremy\_Roberts@gov.nt.ca'; 'jhood@fortsmith.ca'; 'joe\_heron@gov.nt.ca'; 'johnny\_lennie@gov.nt.ca'; 'Jon\_Posynick@gov.nt.ca'; Jen Potten; 'land@wpfn.ca'; 'lands@denenation.com'; 'lands@slfn196.com'; 'landsnresources@katlodeeche.com'; 'laurie\_mcgregor@gov.nt.ca'; 'Lindsay\_Armer@gov.nt.ca'; 'lkdfnlands@gmail.com'; 'Matthew.Spence@cannor.gc.ca'; 'mauge@yellowknife.ca'; 'Melanie.Murphy@wscc.nt.ca'; 'Mike\_Vassal@gov.nt.ca'; 'monica\_wendt@gov.nt.ca'; 'Nathen\_Richea@gov.nt.ca'; 'Norman\_McCowan@gov.nt.ca'; 'NTCard@aandc.gc.ca'; 'Olivia\_Lee@gov.nt.ca'; 'pat\_knutson@gov.nt.ca'; 'patrick\_clancy@gov.nt.ca'; 'Paul\_Green@gov.nt.ca'; 'Pauline\_DeJong@gov.nt.ca'; 'Permits'; 'preliminaryscreening@reviewboard.ca'; 'president.nwtmn@northwestel.net'; 'rcc.nwtmn@northwestel.net'; 'Rebecca.Leighfield@aandc.gc.ca'; 'rhonda\_batchelor@gov.nt.ca'; 'rmakohoniuk@yellowknife.ca'; 'Robert\_Jenkins@gov.nt.ca'; 'Russell\_Teed@gov.nt.ca'; 'Sam.Kennedy@aandc.gc.ca'; 'sao@hayriver.com'; 'Scott\_Stewart@gov.nt.ca'; 'screeningofficer@eastarm.com'; 'shin.shiga@nsma.net'; 'Steven\_Shen@gov.nt.ca'; 'stu\_niven@gov.nt.ca'; 'Tasha\_Hall@golder.com'; 'tim.morton@aandc.gc.ca'; 'tyanna\_steinwand@gov.nt.ca'; 'Veronique.DAmours-Gauthier@dfo-mpo.gc.ca'; 'walexander@yellowknife.ca'; 'Wendy\_Bidwell@gov.nt.ca'; 'ww.symbion@shawbiz.ca'; 'zabeynevitt@tlicho.com'  
**Subject:** MV2013C0021 & MV2014L2-0002 - New Discovery Mines Ltd. - Not Approved - Spill Contingency Plan  
**Attachments:** MV2013C0021 & MV2014L2-0002 - New Discovery Mines Ltd. - Not Approved - Spill Contingency Plan.pdf

Good day,

Please see the attached document. if you have any questions, please contact Kierney Leach at (867) 766-7470 or email [kleach@mvlwb.com](mailto:kleach@mvlwb.com).

Regards,

Amanda Gauthier

Executive Coordinator

Mackenzie Valley Land and Water Board

7th Floor, 4922 48th St, PO Box 2130 | Yellowknife, NT | X1A 2P6

ph 867.766.7460 | cell 867.688.0895 | fax 867.873.6610

[agauthier@mvlwb.com](mailto:agauthier@mvlwb.com) | [www.mvlwb.com](http://www.mvlwb.com)