



Notice

MV2015L2-0003
MV2014C0015
MV2014D0012
MV2012C0014
MV2012S0011

Dated the 12th Day of May 2016

TO: North American Tungsten Corporation Ltd
C/o Kyle Conway
P.O. Box 848
Watson Lake, YT, Y0A 1C0

Re: Failure to comply with the conditions of land use permit MV2009Q0049 and associated Management Plan

I, Tim Morton, duly designated Inspector under the Mackenzie Valley Resource Management Act S.C. 1998 c.25 (Act) hereby give you notice and inform you that there is a failure to comply with conditions of land use permit MV2009Q0049 and an associated Management Plan;

Contrary to:

- Condition #12: The Permittee shall install erosion control structures as the land use operation progresses,
- Condition #17 The Permittee shall report spills immediately to the 24-hour Spill Report Line, (867) 920-8130, in accordance with instructions contained in the "NT-NU Spill Report" form.

Under the authority of section 86(2) of the Act, the Inspector hereby orders the Permittee to;

- 1) Immediately implement erosion and sediment control measures throughout the drainage channel on the south side of the quarry that is flowing to the Flat River, NT,
- 2) Immediately implement sediment control measures on the shoreline of the Flat River, NT,
- 3) Immediately report the spill to the 24 hour Spill Report Line.

Prior to taking action in respect of a contravention under subsection 86(2) of the Act, the inspector shall give notice to the permittee that, if the contravention is not corrected within the time specified in the notice, the inspector may order the cessation of the land-use operation or of any part thereof.

Every person who contravenes section 90.1, any provision of regulations made under section 90, any condition of a permit or an order of an inspector under subsection 86(1) or (2) is guilty of an offence and is liable on summary conviction



- (a)** for a first offence, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding six months, or to both; and
- (b)** for a second or subsequent offence, to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding six months, or to both.

An offence under subsection 92(1), 92.01(1), 92.02(1) or 92.03(1) that is committed or continued on more than one day constitutes a separate offence for each day on which it is committed or continued.

I expect your full cooperation with this matter in the timeline specified above.

Tim Morton
Resource Management Officer III (Inspector)
Indigenous and Northern Affairs Canada
Resource and Lands Directorate
Government of Canada

cc: MVLWB
Environment Canada – EED
Devin Penney – INAC
Jeff Mercer – INAC