



## Staff Report

<b>Applicant:</b> Department of Indian Affairs and Northern Development – Giant Mine Team	
<b>Location:</b> Giant Mine, NT	<b>Application:</b> MV2016S0016
<b>Date Prepared:</b> July 8, 2016	<b>Meeting Date:</b> July 21, 2016
<b>Subject:</b> New Type A Land Use Permit – Drilling and Soil Testing Program	

### 1. Purpose/Report Summary

The purpose of this Report is to present to the Mackenzie Valley Land and Water Board (MVLWB/the Board):

- a) A new Land Use Permit (Permit) Application submitted by the Department of Indian Affairs and Northern Development (DIAND) for the Giant Mine Project;
- b) Consider the preliminary screening;
- c) Consider the Spill Contingency Plan;
- d) Consider the Waste Management Plan; and
- e) Consider the Engagement Plan.

### 2. Background

- June 6, 2016 – Application received;
- June 9, 2016 – Application deemed complete and sent for review;
- June 30, 2016 – Comments due from reviewers;
- July 7, 2016 – Responses to be submitted by DIAND;
- **July 21, 2016 – Application presented to the Board for decision, end of the 42-day timeline; and**
- September 12, 2017 – Existing Permit MV2012S0019 expires.

### 3. Discussion

This Application (attached) is for a continuation of a land-based drilling program at the Giant Mine site in Yellowknife, NT currently authorized by Land Use Permit MV2012S0019. Its purpose is to optimize remediation plans and designs, and provide additional information to mitigate emergencies (i.e. flooding and underground stability) through drillings and soil testing. The proposed activities include drilling using a mud rotary drill, diamond drill and down-the-hole drilling methodologies, auguring, excavating soil test pits, and associated activities for four programs (Freeze optimization study, design support drilling and soil testing, A1, A2, B1, B4, and C1 pit stability, and underground stability).

This work will take place across the entire Giant Mine site. Exact drill locations are not known at this time as future work will depend on the initial results. Activities will primarily happen during May to September; however, much of the work is of an urgent nature and it is possible that drilling may occur in the winter months. A five-year permit has been requested.

DIAND submitted a Spill Contingency Plan, Waste Management Plan, and Engagement Plan with the Application. A summary of these submissions is presented below.

The Spill Contingency Plan outlines formal, practical response system that can be implemented in the event of a spill of materials through the general care and maintenance or through special projects being completed at the site. The plan is intended to promote safe handling of hazardous materials and help to minimize the occurrence of spill incidents. If a spill does occur, the plan is intended to guide on-site personnel in responding to the incident in the most effective manner possible.

The Waste Management Plan was developed as per the application requirements; it covers various types of waste including domestic refuse, sewage and greywater, used oil, lubricants, antifreezes, solvents, chemical containers and oil pails, other spent non-hazardous consumables, used oil filter and oily rags, drill wastes, excess soils from boreholes, hydrocarbon contaminated soils, and arsenic contaminated materials. It also notes that DIAND is a registered hazardous waste producer.

The Engagement Plan aims to keep public and stakeholders informed of progress, inform public and stakeholders of any unplanned events and to provide opportunities for public and stakeholder to give input on the ongoing work. DIAND plans to engage at the following times: now until contracts are awarded, 1 month prior to ground work beginning, monthly updates during active operations, seasonal start of activities seasonal close of activities, end of work, and as requested. They will be engaging using the following methods: web update, newspaper notice, written notice to parties and boards, newsletter, public forum, media briefing, and regular meetings.

#### **4. Comments**

DIAND is currently reaching the maximum number of drill holes applied for in its 2012 permit (MV2012S0019). DIAND is of the opinion that as the scope has remained unchanged, this Application is exempt from preliminary screening under the *Mackenzie Valley Resource Management Act*, Exemption List Regulations, Schedule 1, Part 1, section 2.

The September 13, 2012 preliminary screening that was conducted for Permit MV2012S0019 (attached) identified the number of drill holes, boreholes and test pits to be completed. The current Application does not identify the specific number of drill holes to be drilled or the number of test pits to be dug. Therefore, a draft preliminary screening has been completed and is attached for the Boards consideration.

#### **5. Reviewer Comments**

By June 30, 2016, comments and recommendations on the Application were received from the DIAND - Inspector. The comments provided related to the draft

conditions that were sent out for review with the Application. No comments were provided on the various plans.

DIAND responded on July 7, 2016, and indicated they have no concerns with the comments and recommendations made. The reviewer comment summary table (attached) presents the concerns identified through the review of the Application. The draft Permit (attached) contains recommended conditions based the standard conditions list and reflects reviewer concerns and Board Staff recommendations. The conditions from MV2012S0019 were used as a template and updated using the Land and Water Board standard list of conditions.

## **6. Security**

Reclamation security is not applicable for this Application as per section 94 of the Mackenzie Valley Resource Management Act, as the applicant is the federal government.

## **7. Conclusion**

The draft Permit conditions are based upon the standard condition list, reviewer comments, and Board staff recommendations. Board staff concludes that the conditions contained within this draft Permit should mitigate the potential environmental impacts this development may have on the land and water.

## **8. Recommendation**

Board staff recommends the Board:

- a) Approve the preliminary screening;
- b) Approve the Type A Land Use Permit and Reasons for Decision;
- c) Approve the Spill Contingency Plan;
- d) Approve the Waste Management Plan; and
- e) Approve the Engagement Plan.

## **9. Attachments**

- [Application](#)
- Reviewer Comment Summary Table
- [Preliminary Screening September 13, 2012](#)
- Draft Preliminary Screening
- Draft Land Use Permit Cover Page
- Draft Land Use Permit Conditions
- Draft Reasons for Decision
- Draft Decision Letter from the Board

Respectfully submitted,



Tyree Mullaney  
Regulatory Officer

## Review Comment Table

<b>Board:</b>	MVLWB
<b>Review Item:</b>	INAC - CARD - Giant Mine - New LUP - MV2016S0016
<b>File(s):</b>	<a href="#">MV2016S0016</a>
<b>Proponent:</b>	INAC - Contaminants and Remediation Directorate
<b>Document(s):</b>	<a href="#">Land Use Permit App</a> (25 MB) <a href="#">Draft Conditions</a> (213 kb)
<b>Item For Review Distributed On:</b>	June 9 at 16:24 <a href="#">Distribution List</a>
<b>Reviewer Comments Due By:</b>	June 30, 2016
<b>Proponent Responses Due By:</b>	July 6, 2016
<b>Item Description:</b>	INAC - CARD (Giant Mine Project) has requested a Land Use Permit for soil investigations. Draft conditions have been prepared and attached to this review for review and comment. Please submit your comments on this application and the draft Permit using the Online Review System. If you have any questions or comments regarding this application or the Online Review System please contact Tyree Mullaney at (867) 766-7464 or at <a href="mailto:tyree@mvlwb.com">tyree@mvlwb.com</a> .
<b>General Reviewer Information:</b>	In addition to the e-mail distribution the following organizations received the information by fax:  Fort Resolution Métis Council Trudy King (867)394-3322; <a href="mailto:Fieldworker.frmc53@northwestel.net">Fieldworker.frmc53@northwestel.net</a> ;  Hay River Metis Council Karen Lafferty President (867)874-4472; <a href="mailto:hrmc@northwestel.net">hrmc@northwestel.net</a> ;  NWT Metis Nation Tim Heron NWTMN IMA Coordinator (867)872-3586; <a href="mailto:rcc.nwtmn@northwestel.net">rcc.nwtmn@northwestel.net</a> ;
<b>Contact Information:</b>	Jen Potten 867-766-7468 Tyree Mullaney 867-766-7464

## Comment Summary

INAC - NWT Inspectors: Tim Morton				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Response
1	LUP Condition 3	<b>Comment</b> Inspector contact information (867) 669-2442 or (867) 669-2468 <b>Recommendation</b> Please add the above contact information	<b>July 6:</b> No Comment	Conditions to include the numbers identified.
2	LUP Condition 15	<b>Comment</b> Condition 15 is a duplicated of condition 12. <b>Recommendation</b> Please remove condition 15 from the LUP.	<b>July 6:</b> Agreed	Condition has been removed, as noted it was a duplicate.
3	LUP Condition 24	<b>Comment</b> The Inspector recommends that incineration be removed as an option and all waste petroleum products be removed to an approved facility. <b>Recommendation</b> Make above changes.	<b>July 6:</b> Agreed	Condition has been updated to include Inspector's the recommendation.