



Mackenzie Valley Land and Water Board
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May 15, 2020

File: MV2019X0007
MV2007L8-0031

Ms. Natalie Plato
Crown-Indigenous Relations and Northern Affairs Canada
PO BOX 1500
YELLOWKNIFE NT X1A 2R3

Email: Natalie.Plato@canada.ca

Dear Ms. Plato:

Information Requests – Responses Required
Giant Mine Remediation Project – Giant Mine Site, Yellowknife, NT

Information Requests based on GMRP's April 17, 2020 review comments have been compiled (Table 1).

Your responses must be submitted to the Mackenzie Valley Land and Water Board staff by **May 25, 2020**.

If you have any questions or concerns regarding this letter, please contact Shannon Allerston at sallerston@mvlwb.com.

Sincerely,

A handwritten signature in black ink, appearing to be "SA", with a long horizontal line extending to the right.

Shannon Allerston
Regulatory Specialist

Copied to: Distribution List
Attached: Information Requests

Table 1: Information Requests

#	Subject	Information Request
1	Definition of Engineered Structures	<p>Board staff note that the draft Water Licence submitted by the GMRP with their Post-Environmental Information Package included the definition for “Engineered Components”, a modified definition of Engineered Structures, so as to include some aspects of the Project (i.e. contaminated soils and Baker Creek) that do not apply to the definition of Engineered Structures. GMRP’s proposed Draft Licence required that a comprehensive “Design and Construction Plan” be submitted for each Engineered Component for Board approval. During the first Technical Session, GMRP explained that there would be more Design and Construction Plans than Components since they would be needed to address the multiple structures or constitutions of the larger components. Through the proceeding, GMRP proposed the submission of separate Design Plans and Construction Plans. Design Plans would align with the Engineered Components and the Construction Plans with the Engineered Structures associated with each component. Board staff note that the terms “Engineered Components” and “Engineered Structures” were both used during the Technical Sessions for the Project, sometimes interchangeably. GMRP explained that the Engineered Component definition better included components of the site that are not structures (e.g., Baker Creek), and are not engineered (e.g., soil removal) and that the use of the term Engineered Structure was a mistake. In response to the Draft Water Licence posted by Board staff for review, however, the GMRP commented that the draft definition for Engineered Components:</p> <p><i>“is not in line with what the GMRP has proposed and described throughout the water licence process in Technical Sessions and the Public Hearing. The term Engineered Component and the definition as provided in the draft Water Licence and Land Use Permit circulated by the MVLWB are not the same and will lead to confusion. GMRP proposes the use of two separate terms: “Engineered Structure” and “Project Component”. The GMRP recommends that “Engineered Component” be removed and replaced with “Engineered Structure: Any structure or facility and associated area related to water use or the deposit of waste that is designed and approved by a Professional Engineer.” The GMRP further recommends a new term be added to definitions: “The GMRP has been divided into projected components, following the approach outlined in the MVLWB/AANDC Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories. The twelve project components are: 1) underground mine workings; 2) freeze/Arsenic Trioxide Frozen Shell; 3) open pit mine workings; 4) contaminated soils and sediments, 5) Baker Creek and surface Water drainage, 6) Tailings Containment Areas; 7) Borrow material; 8) Water Treatment Plant and outfall systems; 9) Buildings and Site Infrastructure; 10) Non-Hazardous Waste Landfill; 11) Contamination downgradient from Dam 3; and 12) Passive/semi-passive Treatment.” (GMRP Comment 59)</i></p> <p>The Board’s standard condition for Engineered Structures is as follows:</p>

		<p><i>any structure or facility related to Water Use or the deposit of Waste that is designed by a Professional Engineer, including but not limited to the [enter list of structures/facilities] associated with the Project.</i></p> <p>The GMRP is to provide a list of Engineered Structures for the Project that could be listed in the definition of Engineered Structures. If unable to do so, please explain why.</p>
2	Definition of Contact Water	<p>The GMRP commented on the definition of Contact Water and proposed the following (GMRP Comment 56):</p> <p><i>Contact Water - Runoff or Seepage from Engineered Structure(s) that has encountered Wastewater and/or Waste within the Developed areas as defined in the Closure and Reclamation Plan.</i></p> <p>With respect to Contact Water, can the GMRP explain why this definition must be limited to “within the developed areas” in addition to Engineered Structures? Are there specific Engineered Structures outside of the developed areas to which the definition of Contact Water should not apply? Also, if the definition of Engineered Structures does not include non-engineered components of the Project, such as areas of removed contaminated soils (i.e. the South Pond relocation), does the definition of Contact Water apply to those?</p>
3	Closure and Reclamation Completion Reports	<p>For the CLOSURE AND RECLAMATION COMPLETION REPORT condition, GMRP recommended including “or Closure and Reclamation of a part of a Project Component” in addition to the Project Components (GMRP Comment 80). The Board’s <i>Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories</i> note that the intention of the Reclamation Completion Reports is:</p> <p><i>For larger projects, where facilities or components are closed and reclaimed prior to the end of operations, a reclamation completion report would be expected following the closure of each of the facilities/components as well as a final reclamation completion report that lists all of the previous component-specific reports.</i></p> <p>And the Board’s standard condition for CLOSURE AND RECLAMATION COMPLETION REPORT is:</p> <p><i>Within x days of completing Closure and Reclamation of any specific component of the Project, the Licensee shall submit to the Board a Closure and Reclamation Completion Report. The Report shall be in accordance with the MVLWB/AANDC Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories.</i></p>

		<p>Do the “parts” GMRP refers to in their response equate to Engineered Structures that comprise the larger Project Component from their proposed definitions? If not, how could the “parts” be defined? What does the GMRP see as the possible benefit to the overall activities and management of the proposed water licence by submitting the Closure and Reclamation Completion Reports in a piece-wise manner?</p>
4	<p>Post-Closure Monitoring and maintenance Plan</p>	<p>In response to the draft POST-CLOSURE MONITORING AND MAINTENANCE PLAN - TABLE OF CONTENTS condition, GMRP responded (GMRP Comment 79):</p> <p><i>The GMRP understands that this table of contents is to outline the monitoring and maintenance requirements in Phase 3 of the Project. As described in Schedule 3, Condition 1(e) post-construction monitoring for some components will occur prior to Phase 3 and will be approved through the respective Design Plans. In consideration of Part D, Draft Item 8, the GMRP believes the best method of documenting approved post-Construction monitoring would be for the Post-Closure Monitoring and Maintenance Plan be submitted with the first Closure and Reclamation Completion Report in full rather than only the Table of Contents. In addition, the Perpetual Care Plan is currently in development and if required, would be provided only for informational purposes to inform the Table of Contents. The GMRP recommends that a condition be added to require the Post-Closure Monitoring and Maintenance Plan be submitted with the first Closure and Reclamation Completion Report to document approved post-construction monitoring and maintenance. If required as a submission, the Licence should specify that the Perpetual Care Plan is to be submitted for information purposes only.</i></p> <p>Does the GMRP propose that the Post-Closure Monitoring and Maintenance Plan be considered for approval during the term of this Water Licence? If yes, how does this align with the Scope of this Licence being limited to Phase 1 and Phase 2 of the Project?</p>