

Distribution List**CIRNAC-CARD - Rayrock Remediation Project - Type A WL and LUP Applications - Information Request #17 (W2020X0005 & W2020L8-0003)**

File(s): W2020L8-0003 W2020X0005

Proponent: CIRNAC-CARD

Reviewer Comments Due By: Mar 2, 2021

Proponent Comments Due By: Mar 9, 2021

Document(s)

CIRNAC IR #17 Response

Contact Information

Anneli Jokela 867-765-4588(ajokela@wlwb.ca)

Rhiana Bams 867-765-4583(rbams@wlwb.ca)

Sent To		
Organization	User	Email
Akaitcho IMA Implementation Office	Poole, Stephanie	screeningofficer@eastarm.com
Canadian Northern Economic Development Agency - NWT Region	Paradis, Adrian	adrian.paradis@canada.ca
CIRNAC - Inspector	Morton, Tim	tim.morton@canada.ca
CIRNAC - Yellowknife	Barry, Stephanie	Stephanie.barry@canada.ca
CIRNAC-CARD	Richardson, Andrew	andrew.richardson2@canada.ca
CIRNAC-CARD	Rusk, Bridget	bridget.rusk@canada.ca
CIRNAC-CARD	Breadmore, Ron	Ron.Breadmore@canada.ca
Community Government of Behchoko	Daniels, Clifford	clifforddaniels@tlichocom
Community Government of Behchoko	Gon, Ritalene	landoffice@behchoko.ca
Community Government of Behchoko	Richardson, Treeva	sao@behchoko.ca
Community Government of Gameti	SAO, Gameti	sao@gameti.org
Community Government of Wekweeti	Wekweeti, SAO	wekwetisao@northwestel.net
Community Government of Whati	Nitsiza, Alfonz	alfonznitsiza@tlichocom
Community Government of Whati	SAO, Whati	sao@whati.ca
Deninu K'ue First Nation	Simon, Richard	ima@dkfn.ca
Deninu K'ue First Nation	Simon, Patrick	patricksimon777@yahoo.ca
Environment and Climate Change Canada	Epp, Cari-Lyn	cari-lyn.epp@canada.ca
Environment and Climate Change Canada	Environment and Climate Change Canada, EA	ec.eenordrpntno-eanorthpnrnwt.ec@canada.ca
Fisheries and Oceans Canada	Fisheries Protection Program, Triage Group	fisheriesprotection@dfo-mpo.gc.ca

Fisheries and Oceans Canada	Bernard-Lacaille, Gabriel	gabriel.bernard-lacaille@dfo-mpo.gc.ca
Fisheries and Oceans Canada	Dupuis, Lynn	Lynn.Dupuis@dfo-mpo.gc.ca
Fisheries and Oceans Canada	Fisher, Neil	Neil.Fisher@dfo-mpo.gc.ca
Fisheries and Oceans Canada	Sroka, Olivia	olivia.sroka@dfo-mpo.gc.ca
Fisheries and Oceans Canada	Gervais, Rick	Richard.Gervais@dfo-mpo.gc.ca
Forward Mining	Mauchan, Jason	info@forwardmining.ca
GLWB	Macdonald, Alec Sandra	AMacDonald@glwb.com
GNWT - ENR (Environment and Natural Resources)	Somers, Gila	Gila_Somers@gov.nt.ca
GNWT - ENR (Environment and Natural Resources)	Malone, Laura	laura_malone@gov.nt.ca
GNWT - ENR (Environment and Natural Resources)	McGregor, Laurie	laurie_mcgregor@gov.nt.ca
GNWT - ENR (Environment and Natural Resources)	Richea, Nathen	Nathen_Richea@gov.nt.ca
GNWT - ENR (Environment and Natural Resources)	Clancy, Patrick	patrick_clancy@gov.nt.ca
GNWT - ENR (Environment and Natural Resources)	Walbourne, Rick	Rick_Walbourne@gov.nt.ca
GNWT - ENR - EAM (Environmental Assessment and Monitoring)	GNWT, Central Email	gnwt_ea@gov.nt.ca
GNWT - ENR - North Slave Region	McQuinn, David-Scott	David-Scott_McQuinn@gov.nt.ca
GNWT - ENR - North Slave Region	Beck, Heather	Heather_Beck@gov.nt.ca
GNWT - Executive and Indigenous Affairs	Fast, Peter	Peter_Fast@gov.nt.ca
GNWT - HSS (Health and Social Services)	Department , of Health	Environmental_health@gov.nt.ca
GNWT - INF (Infrastructure)	Campbell, Alexis	Alexis_Campbell@gov.nt.ca
GNWT - INF (Infrastructure)	Bey, Benjamin	Benjamin_Bey@gov.nt.ca
GNWT - INF (Infrastructure)	Posynick, Jon	Jon_Posynick@gov.nt.ca
GNWT - ITI (Industry, Tourism and Investment)	Mason, Dane	Dane_Mason@gov.nt.ca
GNWT - ITI (Industry, Tourism and Investment)	Elliott , Dinah	Dinah_Elliott@gov.nt.ca
GNWT - ITI (Industry, Tourism and Investment)	Johnson, Kris	k_Johnson@gov.nt.ca
GNWT - ITI (Industry, Tourism and Investment)	Robb, Malcolm	Malcolm_Robb@gov.nt.ca
GNWT - ITI (Industry, Tourism and Investment)	McEachern, Menzie	Menzie_McEachern@gov.nt.ca
GNWT - Lands	Rozestraten, Katie	katie_rozestraten@gov.nt.ca
GNWT - Lands	Pink, Melissa	melissa_pink@gov.nt.ca
GNWT - Lands - North Slave Region	Bradbury, Brandon	Brandon_Bradbury@gov.nt.ca
GNWT - Lands - North Slave Region	Coe, Charlene	Charlene_Coe@gov.nt.ca
GNWT - Lands - North Slave Region	Larocque, Cheryl	cheryl_larocque@gov.nt.ca

GNWT - Lands - North Slave Region	Ambrose, Clint	clint_ambrose@gov.nt.ca
GNWT - Lands - North Slave Region	Lee, Nahum	Nahum_Lee@gov.nt.ca
GNWT - Lands - North Slave Region	Stewart, Scott	Scott_Stewart@gov.nt.ca
GNWT - MACA (Municipal and Community Affairs)	Arshad, Iqbal	Iqbal_Arshad@gov.nt.ca
GNWT - MACA (Municipal and Community Affairs)	Lee, Olivia	Olivia_Lee@gov.nt.ca
GNWT - PPCA (Policy, Planning, Communications and Analysis (w/in ITI))	Walz, Evan	Evan_Walz@gov.nt.ca
GNWT - PWNHC (Prince of Wales Northern Heritage Centre (w/in ECE))	Mackay, Glen	Glen_Mackay@gov.nt.ca
GNWT - PWNHC (Prince of Wales Northern Heritage Centre (w/in ECE))	Smethurst , Naomi	naomi_smethurst@gov.nt.ca
Kitikmeot Inuit Association	Clark, Geoff	dirlands@kitia.ca
Lutsel K'e Dene First Nation - Chief or Wildlife, Lands and Environment	Marlowe, Chief Daryl	chief.lkdfn@gmail.com
Lutsel K'e Dene First Nation - Chief or Wildlife, Lands and Environment	Guthrie, Glen	lkdfnlands@gmail.com
Lutsel K'e Dene First Nation - Chief or Wildlife, Lands and Environment	Keats, Beth	lkdfnregulatory@gmail.com
Mackenzie Valley Environmental Impact Review Board	Cliffe-Phillips, Mark	mcliffephillips@reviewboard.ca
Mackenzie Valley Environmental Impact Review Board	MVEIRB, Generic	preliminaryscreening@reviewboard.ca
MVLWB	Plautz, Angela	aplautz@mvlwb.com
MVLWB	Potten, Jen	jpotten@mvlwb.com
North Slave Metis Alliance	Taylor, Joanne	general@nsma.net
North Slave Metis Alliance	Enge, Susan	heritage@nsma.net
North Slave Metis Alliance	Hurtubise, Jess	jess.hurtubise@nsma.net
North Slave Metis Alliance	Lands, NSMA	lands@nsma.net
Northwest Territories Power Corporation	Dewar, David	ddewar@ntpc.com
Northwest Territories Power Corporation	Miller, Matthew	mmiller@ntpc.com
Northwest Territory Metis Nation	Coleman, Ria	lands.clerk@nwtmetis.ca
Tlicho Government	Wheler, Brett	brett.wheler@tlicho.ca
Tlicho Government	George Mackenzie, Grand Chief	georgemackenzie@tlicho.com
Tlicho Government	Lands Regulatory, Tlicho	ginger.gibson@thefirelightgroup.com
Tlicho Government	Mackenzie, Grace	gracemackenzie@tlicho.com
Tlicho Government	EKWE, LONGINUS	longinusekwe@tlicho.com

Tlicho Government	Richardson, Sean	seanrichardson@tlicho.com
Tlicho Government	Nevitt, Zabey	zabeynevitt@tlicho.com
Tlicho Lands Protection Department	Washie, Doreen	doreenwashie@tlicho.com
Tlicho Lands Protection Department	Huskey, Joline	jolinehuskey@tlicho.com
Tlicho Lands Protection Department	Steinwand, Tyanna	tyannasteinwand@tlicho.com
Tlicho Lands Protection Department	Camsell-Blondin, Violet	violetcamsellblondin@tlicho.com
Wek' eezhii Renewable Resources Board	Guile, Aimee	aguile@wrrb.ca
Wek' eezhii Renewable Resources Board	Pellissey, Jody	jpellissey@wrrb.ca
Wek' eezhii Renewable Resources Board	Meinert, Laura	lmeinert@wrrb.ca
Wek' eezhii Renewable Resources Board	Norrish, Shalyn	snorrish@wlwb.ca
Wekweeti Community Government	Football, Charlie	charliefootball@tlicho.com
Willms@Shier Environmental Lawyers LLP	Donihee, John	jdonihee@willmsshier.com
WLWB	Jokela, Anneli	ajokela@wlwb.ca
WLWB	Pacunayen, Jessica	jpacunayen@wlwb.ca
WLWB	DeFrancis, Kassandra	kdefrancis@wlwb.ca
WLWB	MacIntyre-Newell, Meaghan	mmacintyre-newell@wlwb.ca
WLWB	Schnurr, Meghan	mschnurr@wlwb.ca
WLWB	Ewaschuk, Patty	pewaschuk@wlwb.ca
WLWB	Bams, Rhiana	rbams@wlwb.ca
WLWB	Fequet, Ryan	rfequet@wlwb.ca
WLWB	Judas, Roberta	rjudas@wlwb.ca
WLWB	Elsasser, Sarah	selsasser@wlwb.ca
WLWB	Water Board, Wekeezhii Land and	wlwb06@gmail.com
Wood	Malavige, Perera	malavige.perera@woodplc.com
Yellowknives Dene First Nation	Black, Johanne	jblack@ykdene.com
Yellowknives Dene First Nation	YKDFN, Admin	lands@ykdene.com
Yellowknives Dene First Nation	Miller, Ryan	ryanm@ykdene.com
Yellowknives Dene First Nation	Gillis, Sarah	saraht@ykdene.com

Review Comment Table

Board:	WLWB
Review Item:	CIRNAC-CARD - Rayrock Remediation Project - Type A WL and LUP Applications - Information Request #17 (W2020X0005 & W2020L8-0003)
File(s):	W2020L8-0003 W2020X0005
Proponent:	CIRNAC-CARD
Document(s):	CIRNAC IR #17 Response (109 KB)
Item For Review Distributed On:	Feb 17 at 11:15 Distribution List
Reviewer Comments Due By:	Mar 2, 2021
Proponent Responses Due By:	Mar 9, 2021
Item Description:	<p>Crown-Indigenous Relations and Northern Affairs Canada - Contaminants and Remediation Division (CIRNAC-CARD) (the Applicant) submitted a complete application for a Type A Water Licence (W2020L8-0003) and a Type A Land Use Permit (W2020X0005; the Applications) on September 21, 2020 which is currently undergoing consideration as described in the updated February 16, 2021 Work Plan.</p> <p>A Technical Session was held on January 26-28th, 2021 to discuss the Applications. During the Technical Session, CIRNAC-CARD presented the possibility of moving the location of the Containment Disposal Facility (CDF) from that which was initially proposed in the Applications. An Information Request (IR #17) was sent from the Wek'èezhii Land and Water Board (WLWB) to CIRNAC-CARD on February 9, 2021 requesting additional information regarding the CDF to be submitted by February 16, 2021. CIRNAC-CARD submitted the response to IR#17 on February 16, 2021.</p> <p>Preliminary Screening (Part 5 of the MVRMA): Under the Preliminary Screening Requirement Regulations, the Board must conduct a preliminary screening for a proposed development, unless it is exempt from preliminary screening in accordance with the Exemption List Regulations. Reviewers are encouraged to provide comments and recommendations (e.g., on impacts and mitigation measures) to assist with the Board's preliminary screening determination.</p> <p>Using the Online Review System (ORS), reviewers are invited to submit comments and recommendations on the documents linked below by the review comment deadline specified. If reviewers seek clarification on the submission, they are encouraged to correspond directly with the Applicant prior to submitting comments and recommendations.</p>

	All documents that have been uploaded to this review are also available on our public Registry. If you have any questions or comments about the ORS or this review, please contact Board staff identified below.
Contact Information:	Anneli Jokela 867-765-4588 Rhiana Bams 867-765-4583

Comment Summary

GNWT - ENR - EAM (Environmental Assessment and Monitoring): Central Email GNWT			
ID	Topic	Reviewer Comment/Recommendation	Proponent Response
1	General File	Comment (doc) Cover letter with comments and recommendations Recommendation	
2	Description of New Proposed Location	Comment In their response to Information Request (IR) #17, CIRNAC-CARD states that the Confined Disposal Facility (CDF) will be in the Mill Lake Drainage Basin. No other details on the proposed location have been provided. CIRNAC-CARD also states that "the precise location of the CDF within the Mill Lake Drainage Basin is still under review and consideration, and there is a strong possibility that the final configuration will differ from the design location to allow the best fit into the natural variations in the bedrock." ENR notes that CIRNAC-CARD's response has not addressed IR #17. It is not clear where CIRNAC-CARD is proposing to construct the CDF. The CDF is a major treatment component of the Rayrock Remediation Project, and therefore the location of the facility and the details relating to the project scope are required in order to assess the potential risks of the project to the aquatic receiving environment. ENR understands that details	Mar 8: In Information Request (IR) #17, WLWB wrote: "At the Wek'egre'e Land and Water Board (WLWB) Technical Session of January 26-28, 2021, for the Crown Indigenous and Northern Affairs Canada – Contaminants and Remediation Division (CIRNAC-CARD) Type A Water Licence (W2020L8-0003) and Type A Land Use Permit (W2020X-005) Applications for the Rayrock Project, CIRNACCARD presented the possibility of moving the location for the Containment Disposal Facility from that which was initially proposed in its Applications." It was CIRNAC's understanding that the response to IR#17 was intended to be considered supplementary to, and not a replacement of, all documentation submitted to the Board to date. Therefore, new drawing, maps or figures would only have been presented if the information in previously submitted documents were updated. As such, the response to IR#17 is not intended to be independent of the information submitted to date, and provision of proposed locations and other associated details would only be included in the response if they substantially differed from that currently before the WLWB. Figure 20 of the http://registry.mvlwb.ca/Documents/W2020L8-0003/W2020L8-0003%20-%20Rayrock%20-%20Remedial%20Action%20Plan%20-%20Sep%2021_20.pdf provided the initially proposed CDF location. IR#17 arose due to the different location proposed on slides 9 and 10 of the http://registry.mvlwb.ca/Documents/W2020L8-0003/Rayrock%20-%20Technical%20Session%20-%20CRP-RAP%20Presentation%20-%20Jan%2025_21.pdf presentation during the technical session. While

		<p>of the design may change as the design is refined and finalized; however, it is ENR's opinion that the general location and a conceptual design are required in order to proceed with the water licence process. This information is required for the completion of written interventions.</p> <p>Recommendation 1) ENR recommends that CIRNAC-CARD provide a revised response to IR #17 that provides the proposed location of the CDF, and all associated details requested by the Board.</p>	<p>the CDF location within the Mill Lake drainage basin in the technical session presentation is different from that in the RAP, the RAP location was provided as a conceptual location only.&nbsp; The response to IR#17 discusses the impact of the CDF location provided in the technical session, and this location is currently proposed for the cell. Mar 8: Figure 20 is in Appendix A of the RAP, which is available here.</p>
3	Impacts and Proposed Mitigations	<p>Comment CIRNAC-CARD states that "As the footprint of the CDF has been developed, it was realized that blasting of the bedrock will be required up-gradient of Mill Lake to achieve sufficient area at the required grades." ENR notes that without a proposed location or the quantity of blasting required, the potential impacts of blasting residues on water quality cannot be determined. Without this information, ENR is unable to assess the risks to the aquatic receiving environment. This information is required for the completion of written interventions.</p> <p>Recommendation 1) ENR recommends that CIRNAC-CARD provide a response to IR #17 that provides the potential impacts of the proposed new location, as well as proposed mitigations, as requested by the Board.</p>	<p>Mar 8: The proposed CDF location remains in the Mill Lake Drainage Basin.&nbsp; Water from Mill Lake will still be treated as described in the RAP.&nbsp; As noted in the response to IR#17, the only aquatic impact of the blasting is the potential for increased nitrogen compound concentrations in the water to be treated from Mill Lake; EQC have been established for these compounds.&nbsp; Water at the EQC concentrations is not anticipated to have an impact on Sherman Lake.</p>
4	Updates to Work Plan	<p>Comment As noted above, CIRNAC-CARD has not provided all the information requested in IR #17. As a result, ENR does not have sufficient detail on the proposed location for the CDF, the potential impacts of the changes, or the proposed mitigations to properly assess the potential risks to the</p>	<p>Mar 8: All work on the Rayrock site is on Federal Lands.&nbsp; Since Rayrock is required to maintain a Waste Nuclear Substance Licence with the CNSC, the site will remain in Federal jurisdiction. &nbsp; Details on the proposed location for the CDF, the potential impacts of the current location, and the risks to aquatic receiving environments from site activities are well documented in submissions for the water licence.&nbsp; A review of these documents is needed to properly understand the response to IR#17, and all</p>

		<p>aquatic receiving environment. This information is required for the completion of written interventions, and therefore any continued delays in receiving this information should be taken into account in the work plan.</p> <p>Recommendation 1) ENR recommends that the Board revise the work plan as necessary to account for any delays in receiving a complete response to IR #17 as this information is required for the completion of written interventions.</p>	<p>additional detail requested can be found in these documents.&nbsp; CIRNAC does not feel a revision to the work plan is necessary.</p>
--	--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------

WLWB: Rhiana Bams

ID	Topic	Reviewer Comment/Recommendation	Proponent Response
1	Up-gradient Mill Lake blasting	<p>Comment In CIRNAC's response to IR#17, it indicated that the scale and location of the blasting would be described in the CDF Design Plan and Quarry Management Plan. It is unclear what the relative potential increase to that previously described originally for the Mill Lake swale would be. In Appendix C10 of the Remedial Action Plan, a rough estimate of the new blast rock material was estimated to be 5700 m³.</p> <p>Recommendation Can CIRNAC describe (1) what the maximum possible amount of blasting could be, and (2) the potential impacts and mitigations for this increased blasting, other than the mitigation of additional nitrogen EQC as described in CIRNAC's response to IR #12?</p>	<p>Mar 8: The maximum estimated volume of rock to be blasted is 60,000m³. This includes blasting at the CDF and the Mill Lake drainage swale. The increase in the amount of blasting is not expected to have impacts other than those identified in previous submissions to the WLWB. Details on the quarrying activities will be provided in the Quarry Management Plan.</p>



March 2, 2021

Joseph Mackenzie
Chair
Wek'èezhì Land and Water Board
#1-4905 48th Street
Yellowknife, NT
X1A 3S3

Dear Mr. Mackenzie,

Re: CIRNAC CARD
Water Licence Application – MV2020L8-0003
Land Use Permit Application – MV2020X0005
Technical Session Information Request #17
Request for Comments

The Department of Environment and Natural Resources (ENR), Government of the Northwest Territories has reviewed the information request at reference based on its mandated responsibilities under the *Waters Act* and provides the following comments and recommendations for the consideration of the Board.

Topic: Description of New Proposed Location

Comment:

In their response to Information Request (IR) #17, CIRNAC-CARD states that the Confined Disposal Facility (CDF) will be in the Mill Lake Drainage Basin. No other details on the proposed location have been provided. CIRNAC-CARD also states that “the precise location of the CDF within the Mill Lake Drainage Basin is still under review and consideration, and there is a strong possibility that the final configuration will differ from the design location to allow the best fit into the natural variations in the bedrock.”

ENR notes that CIRNAC-CARD’s response has not addressed IR #17. It is not clear where CIRNAC- CARD is proposing to construct the CDF. The CDF is a major treatment component of the Rayrock Remediation Project, and therefore the location of the facility and the details relating to the project scope are required in order to assess the potential risks of the project to the aquatic receiving environment.

ENR understands that details of the design may change as the design is refined and finalized; however, it is ENR's opinion that the general location and a conceptual design are required in order to proceed with the water licence process. This information is required for the completion of written interventions.

Recommendation:

- 1) ENR recommends that CIRNAC-CARD provide a revised response to IR #17 that provides the proposed location of the CDF, and all associated details requested by the Board.

Topic: Impacts and Proposed Mitigations

Comment:

CIRNAC-CARD states that "As the footprint of the CDF has been developed, it was realized that blasting of the bedrock will be required up-gradient of Mill Lake to achieve sufficient area at the required grades." ENR notes that without a proposed location or the quantity of blasting required, the potential impacts of blasting residues on water quality cannot be determined. Without this information, ENR is unable to assess the risks to the aquatic receiving environment. This information is required for the completion of written interventions.

Recommendation:

- 1) ENR recommends that CIRNAC-CARD provide a response to IR #17 that provides the potential impacts of the proposed new location, as well as proposed mitigations, as requested by the Board.

Topic: Updates to Work Plan

Comment:

As noted above, CIRNAC-CARD has not provided all the information requested in IR #17. As a result, ENR does not have sufficient detail on the proposed location for the CDF, the potential impacts of the changes, or the proposed mitigations to properly assess the potential risks to the aquatic receiving environment. This information is required for the completion of written interventions, and therefore any continued delays in receiving this information should be taken into account in the work plan.

Recommendation:

- 1) ENR recommends that the Board revise the work plan as necessary to account for any delays in receiving a complete response to IR #17 as this information is required for the completion of written interventions.

Comments and recommendations were provided by ENR technical experts in the Water Management and Monitoring Division and were coordinated and collated by the Environmental Assessment and Monitoring Section (EAM), Environmental Stewardship and Climate Change Division.

Should you have any questions or concerns, please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst at (867) 767-9233 Ext: 53096 or email patrick.clancy@gov.nt.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Clancy', written in a cursive style.

Patrick Clancy
Environmental Regulatory Analyst
Environmental Assessment and Monitoring Section
Environmental Stewardship and Climate Change Division
Department of Environment and Natural Resources
Government of the Northwest Territories