



**CANADIAN PARKS AND
WILDERNESS SOCIETY
NWT CHAPTER**

Box 1934, Yellowknife, NT X1A 1T4
Phone: (867) 873-9893 Fax: (867) 873-9593 e-mail: cpawsnwt@thocdgc.ca

Steve Mathyk
Regulatory Officer
Mackenzie Valley Land and Water Board
Box 2130
7th Floor 4910 50th Ave
Yellowknife, NT X1A 2P6
Fax: (867) 873-6610

**Mackenzie Valley Land
& Water Board**

File

MAY 13 2002

Application # N3L2-0004

Copied To KLIPW/LCKSM/Reg

May 10, 2002

Re: Comments on the Abandonment and Restoration Plan (November, 2001) North American Tungsten Corporation Ltd. Water Licence N3L2-0004

Dear Mr. Mathyk:

Please accept this letter as comments of the Northwest Territories Chapter of the Canadian Parks and Wilderness Society (CPAWS-NWT) on the aforementioned Revised Spill Contingency Plan application listed above. CPAWS-NWT is part of a national non-profit conservation organization, dedicated to protecting Canada's wilderness. CPAWS-NWT has requested that the current water licence application (N3L2-004) submitted by North American Tungsten Corporation Ltd. be referred to environmental assessment (May 10, 2002 letter).

Security Deposit

With respect to the security deposit, the amount identified in the water licence issued in 1995 in Part B Item 2 (b) was recommended to be \$900,000 pursuant to Section 17 (1) of the *Northwest Territories Waters Act* and Section 12 of the Regulations. Although there have been steps taken to "progressively reclaim" the site, this amount is likely too low to sufficiently cover the costs of site reclamation, final abandonment and monitoring.

Both the 1997 Plan for Restoration and Abandonment (Aur Resources Inc.) and the 2001 Abandonment and Restoration Plan (EBA Consultants) note that it will cost approximately \$2.3 million dollars (in 1997 dollars) to complete the Abandonment and Restoration Plan. The closure costing spreadsheet completed by Watermark Consulting Inc. referred to in both Abandonment and Restoration Plans (Aur Resources, 1997 and EBA, 2001) was not included in the hard or electronic copies forwarded to CPAWS-NWT and was not made available in time during the review process. EBA (2001) noted that the costing calculations would be updated in the future. However, should a licence be issued, it is requested that as a condition of issuance that the security deposit amount should be updated to 2002 dollars and increased to reflect changing

environmental standards and current costs of reclamation and be made publicly available. Additionally, the remediation costs required for the January 2002 23,000 L diesel fuel spill (02-018) should be included in the estimate.

Polychlorinated Biphenyls, Fuels and Chemicals

Given the unique and important conservation values of the wilderness area that surrounds the CanTung mine, CPAWS-NWT has concerns with the eventual fate of PCB's, fuels and chemicals that will require ultimate disposal at the time of restoration and abandonment. The 1997 Plan for Restoration and Abandonment noted that there are Polychlorinated biphenyl (PCB's) and PCB contaminated liquids that are stored in approved structures on site. It is also noted that "the PCB's will be removed from the site and destroyed if the facilities for doing so become available" (page 66). The plan notes that at the time of demolition, fluorescent light ballasts will be examined for PCB's and will be removed for proper disposal.

The EBA 2001 Abandonment and Restoration Plan notes that North American Tungsten Corporation Ltd. filed the CanTung Mine Spill Contingency Plan with the MVLWB which "included an inventory of the fuels, chemicals, and reagents that were stored on site during the shutdown period" (Section 8.3, page 42). However, at the time of review, the CanTung Mine Spill Contingency Plan does not mention PCB's, PCB-contaminated liquid, or the approved PCB storage structure. Given the long term persistence and chemical nature of PCB's, it is requested that additional information on the approved PCB storage facility be included in the abandonment and restoration plan including full costing of PCB disposal at an approved hazardous waste facility, if the PCB's have not already been disposed of and the PCB storage facility decommissioned¹. Removal of PCB's as part of the progressive abandonment and restoration activities would be a preferred action.

Should a licence be issued, it is requested that as a condition of issuance that estimated and actual quantities of hazardous materials on site be included in the Abandonment and Restoration Plan².

Long Term Site Monitoring

The 2001 EBA Abandonment and Restoration Plan noted that "for cost estimation purposes, NATCL (CanTung) has assumed that the required monitoring program would continue for at least a two-year period after closure is completed" (Section 9.1, page 43). Given the long history of the site, the recent diesel fuel spill (02-018) of 23,000 litres, and the presence of PCB's and other hazardous materials, CPAWS-NWT requests that as a condition of issuance, the applicant's monitoring program be continued for a minimum of 10 years.

¹ If the PCB have already been disposed of and the facility has been decommissioned, CPAWS-NWT is interested in reviewing the final decommissioning report.

² This will therefore provide a more accurate account of actual remediation costs.

If you have any questions or concerns about these comments, please do not hesitate to contact me at 867.873.9893.

Sincerely,

A handwritten signature in cursive script that reads "Greg Yeoman". The signature is written in dark ink and is positioned above the typed name and title.

Greg Yeoman
Conservation Director
Canadian Parks and Wilderness Society
NWT Chapter

and improper fuel handling operations were not discovered until a major accident occurred. To prevent future similar environmental incidents, a full environmental assessment of the mine site would allow for other, yet unknown issues to be identified and addressed. Again, this water licence application is the only opportunity to subject the CanTung mining operations to an environmental assessment.

Cumulative Impacts

The cumulative impacts of mining and other industrial development within the SNW have the potential to impact water quality, and the ability of Parks Canada to fulfill its mandate to protect the ecological integrity of the Park Reserve.

There are two mine sites and two other sites with high potential that CPAWS-NWT is aware of in the watershed. These are the Canadian Zinc Prairie Creek mine, and the Cantung mine; Copper Ridge Exploration's Howard Pass lead, zinc and silver placer mining project, and the Union Carbide project at Lened Creek. In addition there are at least two other mining projects which are in the early exploration phase. Oil and gas seismic exploration is also occurring within the watershed, with Explor Data, Talisman, Arcis all receiving permits to shoot seismic lines in the last two years. With all of these projects existing in the same watershed, there is high potential for significant adverse cumulative environmental impacts to the water quality.

Precautionary Principle

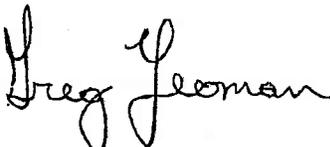
In the January 2002 Report of Environmental Assessment on the Canadian Zinc Corporation, Underground Decline/Exploratory Drilling and Metallurgical Pilot Plant Developments, the MVEIRB stated that they were:

"concerned that unalterable land use decisions may result in significant adverse impacts should such decisions be found to compromise the nationally and internationally values Nahanni National Park World Heritage Site" page 48.

Given the surrounding natural environment, CPAWS-NWT respectfully submits that the Board use the precautionary principle when making their decision. Simply put, the precautionary principle means err on the side of caution. As outlined above there are outstanding concerns regarding the environmental impacts of the CanTung mine, and referring the application to EA is the decision which will result in the least amount of potential harm to the natural environment.

In conclusion, the location of the CanTung mine within the SNW, concerns over the effects of mining activity on water quality, water losses from tailings pond 3, the fuel spill and related causes, and the potential for the mining activity to add to cumulative impacts in the SNW are reasons for this application to be referred to an environmental assessment.

Sincerely,



Greg Yeoman
Conservation Director
CPAWS-NWT



**CANADIAN PARKS AND
WILDERNESS SOCIETY
NWT CHAPTER**

Fax

To: Laurie Cordell
Regulatory Officer
Mackenzie Valley Land and Water
Board

From: Greg Yeoman
Conservation Director
CPAWS-NWT

Fax: (819) 873-6610

Date: May 10, 2002

Pages: (including cover): 6

RE: North American Tungsten Corporation Ltd. Water Licence N3L2-0004

Box 1934
Yellowknife, NT X1A 2P4
Tel: (867) 873-9893 Fax: (867) 873-9593
cpawsnwt@theedge.ca