

## Shannon Hayden

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**From:** kevin o'reilly <kor@theedge.ca>  
**Sent:** March 8, 2012 3:44 PM  
**To:** Alan Ehrlich  
**Cc:** Lisa Dyer; Paradis, Adrian; TerriBugg; ToddSlack; Gordon VanTighem  
**Subject:** re: Additional Documents on the Giant Mine Site Stabilization Plan  
**Attachments:** MV2007L8-0031-Follow up meeting with Giant Mine and MVLWB - Dec 16-11.pdf; MV2007L8-0031 - Follow up on Site stabilization plan - Feb 20-12.pdf; MV2007L8-0031 - Follow up on Paste Back Fill - Feb 20-12.pdf

**Importance:** High

Alan

Earlier today, I filed a letter and attachments regarding the responses received to the Round Two Information Requests. This letter was also copied to the Mackenzie Valley Land and Water Board.

Alternatives North expressed concerns regarding the Site Stabilization Plan that has apparently been developed in secrecy over a number of months. When I checked the MVLWB public registry today, I found the attached documents under MV2007L8-0031 and provide the links below for your convenience:

<http://www.mvlwb.ca/mv/Registry/2007/MV2007L8-0031/MV2007L8-0031%20-%20Follow%20up%20meeting%20with%20Giant%20Mine%20and%20MVLWB%20-%20Dec16-11.pdf> (e-mail follow-up to a November 28, 2011 meeting between AANDC and MVLWB staff)

<http://www.mvlwb.ca/mv/Registry/2007/MV2007L8-0031/MV2007L8-0031%20-%20Follow%20up%20on%20Site%20stabilization%20plan%20-%20Feb20-12.pdf> (e-mail regarding a January 20, 2012 meeting between AANDC and MVLWB staff)

<http://www.mvlwb.ca/mv/Registry/2007/MV2007L8-0031/MV2007L8-0031%20-%20Follow%20up%20on%20%20Paste%20Back%20Fill%20-%20Feb20-12.pdf> (e-mail exchange on February 17 and 20, 2012 between AANDC and MVLWB staff)

You will note that there have been at least three meetings between AANDC and MVLWB staff about the Site Stabilization Plan on September 26, November 28, 2011 and January 20, 2012.

Ms. Graham, MVLWB staff, in a January 6, 2012 e-mail said "Thanks for the opportunity to review the site stabilization plan for the Giant Mine site." The Plan has obviously been submitted to the MVLWB but has yet to show up on the MVLWB public registry. Needless to say, AANDC has not filed this document with the Review Board.

The e-mails noted above and attached discuss the permitting requirements and exemption of a number of activities now part of the Giant Mine Remediation Plan and within the scope of the ongoing Environmental Assessment.

It would appear that AANDC is about to apply for land use permits and water licences BEFORE the Environmental Assessment is complete and without any consultation with Review Board or the parties to this

process. This causes us great concern and we would like to the Review Board to review this situation on an urgent basis.

Thank you and please post this e-mail and the attachments to the Giant Mine EA public registry.

Kevin O'Reilly  
Alternatives North

**From:** [Kathleen Graham](#)  
**To:** [permits@mvllwb.com](mailto:permits@mvllwb.com)  
**Subject:** FW: Follow up meeting with Giant Mine and MVLWB  
**Date:** Tuesday, February 28, 2012 10:07:21 AM  
**Attachments:** [YELLOWKN-#492624-v1-GIANT MINE ACTIVITIES FOR SITE STABILITY FOR DISCUSSION WITH MVLWB .XLS](#)

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Please post under N1L2-0043 and MV2007L8-0031

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**From:** Adrian Paradis [mailto:[Adrian.Paradis@aandc-aadnc.gc.ca](mailto:Adrian.Paradis@aandc-aadnc.gc.ca)]  
**Sent:** December-16-11 4:54 PM  
**To:** Kathleen Graham  
**Cc:** [rchouinard@mvllwb.com](mailto:rchouinard@mvllwb.com); Lisa Dyer  
**Subject:** RE: Follow up meeting with Giant Mine and MVLWB

Hi Kathleen,

You asked about whether any of the 12 activities can be considered an emergency.

As discussed, the Minister of AANDC is proceeding with a Site Stabilization Plan to deal with dangers at the site, resulting from developing site information. The activities outlined as 'immediate risk mitigation' and 'advanced remediation of high risks' (the first 10 activities) form part of the Site Stabilization Plan. The Minister is using his continuing s.39 authority (NWTWA) to address these dangers. That said, certain of these activities appear to trigger LUPs and/or WL requirements, hence our meetings with MVLWB staff, Sept. 26th, and November 25th, to discuss how to approach permitting in this context.

While the Minister continues to rely on his s.39 authority to address the dangers at site, we want to ensure that we deal with other regulatory requirements appropriately. Given the human health and environment dangers and urgency of the work involved, and considering that work has commenced under the s.39 authority, we anticipated that also proceeding under s.119 MVRMA process would be the most appropriate path.

Not all of the 10 activities trigger regulatory requirements. However, to ensure we remain clear on what the Site Stabilization project is (in comparison with other non-urgent activities at site, including the Remediation Plan under review), our view and preference is to have the 10 activities considered as a separate proposed development (the Site Stabilization Plan) with one application process, resulting in 1 LUP and 1 WL, for the development.

In terms of timing, some of the activities are currently being actioned, some will commence shortly, and others will start spring/summer 2012 (see the time frames in the chart provided). Subject to your input, our aim is to apply as early as possible in the new year for this permitting. While some of the activities may have later start dates, there are critical path steps that are being taken now to ensure that such work can commence as soon as possible, ie on the timelines provided, in order to prevent impacts to human health and the environment.

These activities that need to be actioned on this urgent timeline are reflective of dangers that need to be addressed, hence the use of the s.39 authority to address dangers to persons, property and the

environment. The s. 119 emergency provision is being suggested as the method by which MVRMA requirements are covered off.

As for the other 2 listed activities (Item 11 -the Freeze Optimization Study and 12 -the Design Support activities), they appear to trigger LUP requirements and are investigations/studies intended to inform and support implementation of the Remediation Plan. We do not consider this emergency work, however time is still an important consideration given our chart timelines and the ability for this work to inform the Remediation Plan. We would like to see these activities being separately permitted as investigations under 1 overall permit if possible.

Finally, beyond the 10 Site Stabilization Plan activities and the 2 investigation activities (FOS and Design Support), we also intend to make application for the LUP that would pertain to the Remediation Plan proper.

As such we see 3 overall permitting streams involved.

1. One LUP/WL for the Site Stabilization Plan
2. One LUP/WL for the investigation activities
3. One LUP for the Remediation Plan; and an amendment to the WL MV2007L8-0031 (amendment to the remediation plan discussed below)

Your second question – Whether any of the 12 activities are linked to the subject of EA0809-001:

Yes, there are linkages. Certain activities, such as the Roaster work (item 7 on your chart), underground stabilization work (item 9), and Mill Conveyor (item 10) form part of the Remediation Plan under review. Given the circumstances and subject to input from the MVLWB and the MVEIRB, our intention is to amend the proposed development (the Remediation Plan) to the extent that the Site Stabilization Plan changes it. More specifically, at the time of application for permitting, we would correspondingly submit an outline of changes to the project description for the Remediation Plan, changes which result given the Site Stability Plan. In our view, the project description for the Remediation Plan will have to be amended in tandem with the Site Stabilization Plan permitting application, to correspond with timing of Site Stabilization Plan work. Note that the activities currently being actioned (as opposed to items 7, 9 and 10), do not form part of the Remediation Plan (see chart for details on work and timing). It is also important to note that any amendments to the Remediation Plan, as we have suggested, will not result in adverse impacts.

Finally, I have attached an updated table for your information. In the original table we stated that the Roaster would start coming down in the summer of 2013. This information has been updated and we are now project plan timeline to start the demolition in late summer/fall 2012.

We look forward to hearing more regarding how the MVLWB wishes to proceed with the permitting process, including next steps and anticipated timelines. If you have further questions please let us know. We are prepared to meet next week if possible or early in the new year to discuss.

thanks,

Adrian

>>> "Kathleen Graham" <[kgraham@mvlwb.com](mailto:kgraham@mvlwb.com)> 12/15/2011 1:43 PM >>>

Hi Adrian,

I won't be available next week. My Christmas holidays are starting this Friday. We had a meeting planned between MVEIRB and MVLWB to discuss the Giant Mine Stabilization planned for Monday, December 23<sup>rd</sup>. We will need to know the answers to the question I posed to determine the next steps.

Kathleen

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**From:** Adrian Paradis [<mailto:Adrian.Paradis@aandc-aadnc.gc.ca>]  
**Sent:** December-14-11 10:54 AM  
**To:** Kathleen Graham; 'Lisa Dyer'  
**Subject:** RE: Follow up meeting with Giant Mine and MVLWB

Hi Kathleen,

We are working on a response to your question this week. I should have something for you shortly.

Do you have time early next week to meet?

Adrian

>>> "Kathleen Graham" <[kgraham@mvlwb.com](mailto:kgraham@mvlwb.com)> 12/7/2011 5:05 PM >>>

Sorry one more thing, are these activities dependent on or inherently linked to the subject of the EA -- or can they be viewed as separate (not interlinked) developments?

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**From:** Kathleen Graham [<mailto:kgraham@mvlwb.com>]  
**Sent:** December-07-11 5:05 PM  
**To:** 'Adrian Paradis'; 'Lisa Dyer'  
**Subject:** RE: Follow up meeting with Giant Mine and MVLWB

Hi Adrian and Lisa,

Thanks for the table. I know these items in the table are very high risk...Do you think any of the 12 items listed in the table can be considered as an "emergency"? If so, which items?

Kathleen

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**From:** Adrian Paradis [<mailto:Adrian.Paradis@aandc-aadnc.gc.ca>]  
**Sent:** November-29-11 6:13 PM  
**To:** Kathleen Graham  
**Subject:** RE: Follow up meeting with Giant Mine and MVLWB

Hi Kathleen,

Sorry about the delay. Here is the table.

Can you send me the distribution list for the City of Yellowknife area the MVLWB uses.

thanks,  
Adrian

>>> "Kathleen Graham" <[kgraham@mvlwb.com](mailto:kgraham@mvlwb.com)> 11/28/2011 5:10 PM >>>

Hi Adrian,

Can you send me a digital copy of the table that you brought to today's meeting. I will need a clean copy to distribute to our internal team.

Thanks,

Kathleen

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**From:** Adrian Paradis [<mailto:Adrian.Paradis@aandc-aadnc.gc.ca>]  
**Sent:** November-18-11 4:50 PM  
**To:** Kathleen Graham  
**Subject:** RE: Follow up meeting with Giant Mine and MVLWB

Ok, that works. See you at 3 on the 28th.

>>> "Kathleen Graham" <[kgraham@mvlwb.com](mailto:kgraham@mvlwb.com)> 11/18/2011 4:46 PM >>>

Actually, 3pm will work better for Rebecca and I.

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**From:** Adrian Paradis [<mailto:Adrian.Paradis@aandc-aadnc.gc.ca>]  
**Sent:** November-18-11 4:15 PM  
**To:** Kathleen Graham  
**Subject:** RE: Follow up meeting with Giant Mine and MVLWB

Hi Kathleen,

That works. Can we meet around 1:15 that afternoon?

Adrian

>>> "Kathleen Graham" <[kgraham@mvlwb.com](mailto:kgraham@mvlwb.com)> 11/17/2011 12:01 PM >>>  
Hi Adrian,  
My apologies for not responding sooner. I had taken some leave and forgot to set up an out-of-office memo. Both Rebecca and I will be available in the afternoon of November 28th.

Will that work for you and your team?

Kathleen

Kathleen Graham  
Regulatory Officer  
Mackenzie Valley Land and Water Board  
7th Floor, 4922 48th St, PO Box 2130 | Yellowknife, NT | X1A 2P6  
ph 867.766.7461 | fax 867.873.6610  
[kgraham@mvlwb.com](mailto:kgraham@mvlwb.com) | [www.mvlwb.com](http://www.mvlwb.com)

-----Original Message-----

From: Adrian Paradis [<mailto:Adrian.Paradis@aandc-aadnc.gc.ca>]  
Sent: November-15-11 8:57 AM  
To: [kgraham@mvlwb.com](mailto:kgraham@mvlwb.com)  
Subject: Re: Follow up meeting with Giant Mine and MVLWB

Kathleen,

Any word if we can meet this week?

Adrian

-----Original Message-----

From: Adrian Paradis  
To: Kathleen Graham <[kgraham@mvlwb.com](mailto:kgraham@mvlwb.com)>  
Cc: Rebecca Chouinard <[rchouinard@mvlwb.com](mailto:rchouinard@mvlwb.com)>  
Cc: Lisa Dyer <[Lisa.Dyer@pwgsc-tpsgc.gc.ca](mailto:Lisa.Dyer@pwgsc-tpsgc.gc.ca)>

Sent: 11/10/2011 1:22:58 PM  
Subject: RE: Follow up meeting with Giant Mine and MVLWB

Hi Kathleen,

That morning is busy. Can we meet Wed or Thursday the next week?

Adrian

>>> "Kathleen Graham" <[kgraham@mvlwb.com](mailto:kgraham@mvlwb.com)> 11/10/2011 11:19 AM >>>

Hi Adrian,  
Yes, Rebecca and I would like to meet with you next week. Does the morning of November 18th work for you?  
Kathleen

Kathleen Graham  
Regulatory Officer  
Mackenzie Valley Land and Water Board  
7th Floor, 4922 48th St, PO Box 2130 | Yellowknife, NT | X1A 2P6 ph  
867.766.7461 | fax 867.873.6610 [kgraham@mvlwb.com](mailto:kgraham@mvlwb.com) (  
<mailto:yourname@mvlwb.com>) | [www.mvlwb.com](http://www.mvlwb.com)

From: [lindsey@mvlwb.com](mailto:lindsey@mvlwb.com) [<mailto:lindsey@mvlwb.com>]  
Sent: November-10-11 10:43 AM  
To: Adrian Paradis; [kgraham@mvlwb.com](mailto:kgraham@mvlwb.com)  
Cc: Lisa Dyer  
Subject: Re: Follow up meeting with Giant Mine and MVLWB

Hi Adrian,

We had to do some shuffling, and Kathleen Graham is now the RO for the Giant Mine file. I passed your previous email requesting a meeting on to her, and I am copying her on this email, so I'm sure she will follow up with you (if she hasn't already).

Lindsey

----- Original Message -----

From:

"Adrian Paradis" @aandc-aadnc.gc.ca>

To:

Cc:

"Lisa Dyer"

Sent:

Wed, 09 Nov 2011 18:05:55 -0500

Subject:

Follow up meeting with Giant Mine and MVLWB

Hi Lindsey,

Do you have time next week to meet and discuss the site stabilization plan for Giant Mine?

Preferably, sometime in the afternoon.

Adrian

@pwgsc-tpsgc.gc.ca>@mvlwb.com>

#	DESCRIPTION	DETAILS/ACTIVITIES	Oct – Dec 2011	Jan – Aug 2012	Sept '12 - Dec '14	EA RELATED ACTIVITIES	NON-EA RELATED ACTIVITIES	AUTHORIZED REQUIRED	NOTES	STATUS
IMMEDIATE RISK MITIGATION										
1	Baker Creek Improvements	Increase Bank Height					X	Possible WL for work near a creek	Increase the bank height along the C1 pit.	Complete and will address seasonal decencies and continue monitoring.
		Cover Jojo Lake Tailings/Bank (Inspectors Direction)				X		s. 37 of NWTWA	Implementation of the Inspectors May 30, 2011, Jojo Lake Directive.	Construction is complete for this season, final grading and seeding to be completed in summer of 2012.
2	B1 Pit Wall Stability	Construct Flood Protection Berm					X	Possible WL for work near a creek	Construct a flood protection berm between reach 3 and B1 Pit.	Complete. Seasonal decencies and monitoring.
3	Secure C-Shaft	Remove cladding, secure conveyances and remove ropes					X		Remove cladding along doghouse of C-Shaft for worker and public safety. Mine Health and Safety requirement.	Ongoing
4	A1 Pit Ditch Upgrade	Overflow assessment and revisions					X	Possible WL for work near a creek	Response to DFO letter of July 6, 2010.	Underway, seasonal monitoring and modifications may be required.
5	Secure Cladding	Mill, Warehouse 3 & 4					X		Worker and public safety.	Underway
6	C1 Pit Channel Stability	Geotechnical Investigation					X	LUP	Geotechnical investigations (drilling) along C1 pit to determine underground stability. See U/G stabilization in advanced remediation.	December-11
ADVANCED REMEDIATION OF HIGH RISKS										
7	Roaster Complex Demolition	Engineering Review					X			Issuance of contract in spring of 2012.
		Demolition of Flues				X		Possible WL	Containizer the waste from the flues.	Demo of flues to occur in the summer of 2012.
		Demolition of Roaster				X		Possible WL	Containizer the waste from the roaster.	Targeting the demolition in summer/fall of 2012.
8	Risk Review of the Plan for Baker Creek	Engineering Review of flooding risk of Baker Creek					X		Risk mitigation review of Baker Creek in the short term and long term.	Underway
		Geotechnical Investigation					X	LUP / Possible WL	Geotechnical drilling will be required to support analysis. Assume 20-30 holes along off site route.	Summer of 2012
		Analysis					X			Engineering assessment
9	Underground Stabilization	Engineering Review					X		Non intrusive	Underway
		Geotechnical Investigation					X	LUP	Phase I: December '11 / January '12 25-35 holes. Additional drilling to occur in the summer of 2012 (assume additional 10-20) holes along B1-Pit.	
		Backfill/Stability				X		LUP / WL		Status dependent on geotechnical investigation listed above.
10	Mill Conveyor	Encapsulate and remove sections of conveyor				X			Take down and secure the waste.	

[illegible]





**From:** [Kathleen Graham](#)  
**To:** [permits@mvlwb.com](mailto:permits@mvlwb.com)  
**Subject:** FW: FW: letter to CARD - Site stabilization plan  
**Date:** Tuesday, February 28, 2012 10:13:52 AM

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Please file under MV2007L8-0031 and N1L2-0043

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**From:** Adrian Paradis [mailto:Adrian.Paradis@aandc-aadnc.gc.ca]  
**Sent:** January-20-12 11:27 AM  
**To:** Kathleen Graham  
**Cc:** 'Angela Plautz - MVLWB'; 'Rebecca Chouinard'; 'Zabey Nevitt - MVLWB'  
**Subject:** Re: FW: letter to CARD - Site stabilization plan

Hi Kathleen,

I have tried to answer your questions in red for today's meeting. I will bring a copy of this email and some additional information to help the discussion.

1. I don't have enough information about the details on the Freeze Optimization Study (and design support) to understand how those activities will trigger a Water Licence as you suggested in your email. Please clarify how a WL is triggered. **We were being conservative. Water use is expected to be on the order of 33 cubic metres / day. Drill waste will be stored in containers onsite. The waste will be the same type of drill waste that any standard mineral exploration would create. While drilling for the FOS in 2009 this practice didn't trigger a water licence**

2. Also, as I have just recently been assigned this file, I am unfamiliar of which activities currently under the EA will require a LUP (permitting stream #3)...and how those activities are (or are not) related to the Essential Design Work? **The FOS and Design Support work are not part of the EA and the table was previously provided has been corrected.**

**The FOS was excluded from the scope of the EA by the Review Board (see section page 6 of the Review Board's December 19, 2008, Reasons for Decision for the EA of the Giant Mine Remediation Plan).**

**The Design Work drilling is not part of the EA; it is work that is required to better understand the existing geotechnical conditions of the site.**

3. What information will be included in the amendment to the WL MV2009L8-0031? Will this just be to remove the activities within the Site Stabilization Plan from the scope of the EA...or will there be an amendment of another nature?

**The activities within the Site Stabilization Plan need to be simply removed from the scope of the application of WL MV2007L8-0031 and the corresponding EA. No other changes are required. To address this we are investigating whether the original WL application MV2007L8-0031 should be amended accordingly and submitted to the MVLWB. What are the MVLWB's thoughts on this? What type of process does the MVLWB envision if an amended WL application was submitted?**

Adrian

>>> "Kathleen Graham" <[kgraham@mvlwb.com](mailto:kgraham@mvlwb.com)> 1/6/2012 3:50 PM >>>  
Good afternoon Adrian,

Thanks for the opportunity to review the site stabilization plan for the Giant Mine site. We have had some internal discussions regarding this plan, and how we can approach the licensing and permitting. In general, we have come to the same conclusion that you suggested with the three

overall permitting streams.

1. One LUP/WL for the Site Stabilization Plan;
2. One LUP/WL for the investigation activities;
3. One LUP for the Remediation Plan, and an amendment to the WL MV2007L8-0031

However, I am still unclear on three things:

1. I don't have enough information about the details on the Freeze Optimization Study (and design support) to understand how those activities will trigger a Water Licence as you suggested in your email. Please clarify how a WL is triggered.
2. Also, as I have just recently been assigned this file, I am unfamiliar of which activities currently under the EA will require a LUP (permitting stream #3)...and how those activities are (or are not) related to the Essential Design Work?
3. What information will be included in the amendment to the WL MV2009L8-0031? Will this just be to remove the activities within the Site Stabilization Plan from the scope of the EA... or will there be an amendment of another nature?

But other than those questions, we agree in principle with the three overall permitting streams and you can begin to submit your applications on this. If there are any further questions, I recommend we iron them out prior to the submission of the applications.

Kathleen

**Kathleen Graham**

Regulatory Officer

Mackenzie Valley Land and Water Board

7th Floor, 4922 48th St, PO Box 2130 | Yellowknife, NT | X1A 2P6

ph 867.766.7461 | fax 867.873.6610

[kgraham@mvlwb.com](mailto:kgraham@mvlwb.com) | [www.mvlwb.com](http://www.mvlwb.com)



**From:** [Kathleen Graham](#)  
**To:** [permits@mvllwb.com](mailto:permits@mvllwb.com)  
**Subject:** FW: Paste Back Fill (MV2009L8-0008)  
**Date:** Tuesday, February 28, 2012 10:15:15 AM

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Please post under N1L2-0040 and MV2001L8-0031

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**From:** Kathleen Graham [mailto:kgraham@mvllwb.com]  
**Sent:** February-20-12 10:40 AM  
**To:** 'Adrian Paradis'  
**Cc:** 'permits@mvllwb.com'; 'Scott.Stewart@aandc.gc.ca'  
**Subject:** RE: Paste Back Fill (MV2009L8-0008)

Hi Adrian,

To answer your questions...

1. Yes, the MVWLB will consider the deposit of paste derived from tailings as a deposit of waste.
2. The use of treated mine water from the polishing pond will not be considered as a use of water. However, the use of freshwater from Yellowknife Bay will be considered as a direct water use.

The activity you suggested will trigger a Type "B" Water Licence for the deposit of waste.

Kathleen.

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**From:** Adrian Paradis [mailto:Adrian.Paradis@aandc-aadnc.gc.ca]  
**Sent:** February-17-12 2:13 PM  
**To:** Kathleen Graham  
**Cc:** [aplautz@mvllwb.com](mailto:aplautz@mvllwb.com); [rchouinard@mvllwb.com](mailto:rchouinard@mvllwb.com)  
**Subject:** Paste Back Fill

Greetings,

As discussed one of the significant and immediate risks at Giant Mine is failure of the crown pillars and this risk needs to be addressed as soon as possible. One of the options being considered to stabilize the underground chamber is paste backfill. The paste would be created by mixing existing tailings with either treated mine water from the polishing pond or freshwater from Yellowknife Bay. While the preferred option is to use recycled water from

the polishing pond, additional off-site testing is required to make sure that the treated mine water can be used in making paste. Water management during any past backfilling would be the same as that used currently at the site (i.e. all water that enters the underground workings is captured and pumped to the surface for treatment). AANDC would like the MVLWB's input on the following questions:

1. Does the MBLWB consider the backfilling of paste into the underground chambers to be a deposit of waste?
2. Does the MVLWB consider the use of treated mine water from the polishing pond to be a use of water?

Adrian