







Action: Letter to the Makivik Corporation explaining the KEQC's position: refusal of a permanent observer but openness to ad hoc collaboration, and reminder that a lot of information on the KEQC and its functioning can be found on its website.

**6. Direct shipping ore project, project “2a” (Goodwood) by Tata Steel Minerals Canada (3215-14-014)**

6.1. Annual report 2019

*Task: For discussion, decision*

The “Goodwood 2A” direct-loading iron ore project by Tata Steel Minerals Canada (TSMC) received a certificate of authorization issued on January 11, 2013, pursuant to section 201 of the Environment Quality Act. Three amendments have been made to the January 11, 2013, certificate of authorization. These were made on December 15, 2013, on November 24, 2014, and in August 2017.

The 2019 annual report should have contained the responses to the conditions issued in the original certification of authorization and its subsequent amendments. Most of these conditions were intended to inform the Administrator and the KEQC of environmental monitoring in regards to water and air quality and caribou monitoring, among other issues.

The 2019 annual report should also have presented to the Administrator, for approval, the citizen information program, which in turn should have explained the nature of the mining operations, the steps taken to protect the environment, and the actions to be implemented to solve problems experienced by land users. This program should have been submitted to the Administrator at least six months before the start of operations in one of the open pits, as per condition 19 of the January 11, 2013, amendment to the certificate of authorization.

After analyzing the preliminary information submitted, the KEQC is of the opinion that the proponent will have to make additional efforts to avoid causing damage to the environment as much as possible. Consequently, the KEQC decided to address a series of 26 questions and comments to the proponent (see Appendix C).

Action: Letter to the Administrator - Questions and Comments (Appendix C)

**7. Raglan Mine Project, phases II and III by Glencore (3215-14-019).**

7.1. Answers to condition 8 of the certificate of authorization of July 11, 2017

*Task: For discussion, decision*

At the 257th meeting of the KEQC, the Commission of directors decided to address a series of eight questions and comments regarding Condition 8 of the July 11, 2017, certificate of authorization. At Lisa Koperqualuk's initiative, the Commission discussed adding a ninth question about suicide prevention measures among Raglan Mine employees.

The Commission members expressed their great awareness of the sensitive nature of the issue and the need to deal with it diplomatically and respectfully. Mr. Arngak and Mr. Annahatak expressed concern about the role of the KEQC in this matter and suggested that Nunavik health and social services be consulted.

Given the difficult subject, the members decided to entrust the drafting of this question to Ms. Koperqualuk with the Executive Secretary's help. Mr. Olivier will submit the question to the Commission for approval before adding it to the series of questions and comments prepared at the 257th meeting.

Action: Add to the letter to the Administrator, after approval by the Commission members and the Chair, a ninth question regarding suicide prevention among Raglan Mine employees.

## **NEW DOSSIERS**

### **8. KEQC'S annual request for funding**

The Executive Secretary presented the draft funding application for the 2021–2022 fiscal year that he had prepared. After discussion, the Commission approved the funding application. In addition, at Mr. Arngak's request, the Executive Secretary will inquire whether there may be a provincial program, comparable to the federal programs, that would compensate Commission members' loss of revenue caused by the prevention measures of the COVID-19 pandemic. Mr. Annahatak asked whether half-day meetings could be paid as full days to compensate for these revenue losses.

Action: Send the application for funding as validated by the Commission to the Administrator. Evaluate the existence and accessibility of programs that might compensate KEQC income Commission members lost during the COVID-19 pandemic.

### **9. Varia**

#### **Claim for reimbursement**

The Executive Secretary requested the KEQC authorize reimbursement of the fees incurred while using his personal mobile phone to carry out his KEQC tasks. Mr. Annahatak proposed to authorize the reimbursement and the Commission agreed.

#### **Interview with the researcher:**

Mr. Philie recounted his interview with Ms. Zoé Boirin who works for Germany's Federal Institute for Geosciences and Governance of Natural Resources (BGR) on a research project on government relations and negotiations with Indigenous peoples in the Americas in the context of mining. This study seeks to determine whether and to what extent measures put in place in Canada could be transferred to Chile. Mr. Philie asked for an assessment of the interview and a follow-up in writing, which he will forward to the KEQC to keep it informed. Mr. Annahatak asked to ensure that copies in English were obtained.

### **10. Next meetings**

The next KEQC meeting is planned for January 21, 2021.





<b>Salluit thermal generating station capacity increase project by Hydro-Quebec (3215-10-013)</b>	<b>KEQC to MELCC</b>	<b>Attestation of exemption</b>	<b>sent November 17, 2020</b>	<b>A/R nov 18, 2020</b>	
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Kativik environmental quality commission  
Commission de la qualité de l'environnement Kativik

## Appendix C

*Via email only*

December 11, 2020

Marc Croteau  
Deputy Minister and Administrator of Chapter 23  
of the *Bay James and Northern Quebec Agreement*  
Ministère de l'Environnement  
et de la Lutte contre les changements climatiques  
Édifice Marie-Guyart, 30th floor  
675 René-Lévesque Blvd. E.  
Québec City, QC G1R 5V7

**Subject: 2019 Annual Report – Direct Ore Shipping Project 2A (Goodwood) by  
Tata Steel Minerals Canada**

**N/Ref: 3215-14-014**

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Dear Mr. Deputy Minister:

As part of the environmental and social impact assessment and review procedure set out in Title II of the *Environment Quality Act*, the Kativik Environmental Quality Commission (KEQC) has analyzed the 2019 annual report, sent to it by Ms. Dominique Lavoie of your department on September 21, 2020, concerning the project under consideration.

The “2A Goodwood” direct-loading iron ore project by Tata Steel Minerals Canada (TSMC) received a certificate of authorization issued on January 11, 2013, pursuant to section 201 of the *Environment Quality Act*. Three amendments have been made to the January 11, 2013, certificate of authorization. These were made on December 15, 2013, on November 24, 2014, and in August 2017.

The 2019 annual report should have contained the responses to the conditions issued in the original certification of authorization and its subsequent amendments. Most of these conditions were intended to inform the Administrator and the KEQC of environmental

monitoring in regards to water and air quality and caribou monitoring, among other issues.

The 2019 annual report should also have presented to the Administrator, for approval, the citizen information program, which in turn should have explained the nature of the mining operations, the steps taken to protect the environment, and the actions to be implemented to solve problems experienced by land users. This program should have been submitted to the Administrator at least six months before the start of operations in one of the open pits, as per Condition 19 of the January 11, 2013, certificate of authorization.

After analyzing the preliminary information submitted, the KEQC is of the opinion that the proponent will have to make additional efforts to avoid causing damage to the environment as much as possible.

The KEQC wonders about the situation at the Goodwood site. Multiple water management failures at this site seem to indicate that many deficiencies in the site's construction have been tolerated or ignored by the proponent.

The KEQC would like to remind the proponent that monitoring is carried out in order to identify the project's real impacts and to verify the effectiveness of the mitigation measures in place, from the very start of mining operations. Monitoring must make it possible to quickly identify problems and provide solutions over the construction and operation periods, as per Condition 3 of the January 2013 amendment to the certificate of authorization.

The proponent is therefore expected to send the monitoring results each year, compiled in summary tables and analysis. If results are missing or cannot be submitted, the proponent must justify their absence from the annual report.

The proponent must also ensure that land users receive all information relevant to their assessment of the company's efforts to preserve a quality environment for surrounding populations.

Consequently, the KEQC asked the proponent to answer the following questions and comments:

**QC - 1.** In the next annual report, the proponent must present a compilation of all its environmental and social monitoring results in table form. This will make possible exhaustive verification of the compliance of the environmental monitoring carried out (parameters analyzed, monitoring frequency and analysis results obtained). If the proponent does not already have a system for compiling this data, the KEQC suggests that it prepare an Excel spreadsheet to be filled in with all the parameters, stations and frequencies laid out in the document *Environmental Monitoring Program (January 2017)*, authorized on August 14, 2017.

### *Monitoring of mining effluents*

The proponent stated in its report that, since the treatment plant will not be installed until 2020, there was no effluent monitoring in 2018 and 2019 and monitoring will be in place when a flow of 50 m<sup>3</sup>/day is measured at the effluent, i.e. when the filtration plant is operational.

**QC - 2.** The KEQC wishes to remind the proponent that there is no minimum threshold for the implementation of effluent monitoring under Directive 19 and monitoring must be implemented as soon as effluent is discharged. The KEQC asks the proponent to implement this monitoring as soon as an effluent is produced and to report the results and the analysis thereof in its annual report.

### *Air quality monitoring*

The KEQC observes that, although certificates of laboratory analysis of air quality data were annexed to the report, the proponent did not extract their results and did not present them in its 2017, 2018 and 2019 annual reports. In addition, the monitoring of dust dispersion in 2019 was not compliant, since no monitoring was conducted at the AQS-5 station. None of the frequencies established for the parameters TPM, PM2.5 and NO<sub>2</sub> were compliant in 2019. The KEQC understands, however, that the devices used for these measurements (PQ2000 monitors) experienced technical problems that hampered data collection.

**QC - 3.** Therefore, as soon as possible, the proponent must update its sampling schedule, detailing the new equipment selected for the AQS-5 station.

**QC - 4.** The proponent must submit, in its next annual report, a table summarizing the results of each monitored parameter by comparing it to provincial standards, which are not to be exceeded. The monitoring must include the AQS-5 station and the frequencies established for the parameters TPM, PM2.5 and NO<sub>2</sub> must be respected. The results of the dust and metal deposition rate calculation should be expressed in µg/m<sup>3</sup>/year.

Following its dust fall jar monitoring, conducted in 2018, the proponent reported that the 30-day threshold of 7 g/m<sup>2</sup> over 30 days, according to a standard implemented in Newfoundland and Labrador, was exceeded for the sample from July 1 to August 5, 2018, at the AQS2 station with a dust mass of 18.1 g/m<sup>2</sup> over 30 days. The situation does not seem to have repeated in 2019.

**QC - 5.** The proponent must explain the reasons for exceeding the dust and metal deposition standards for samples from July 1 to August 5, 2018. The proponent must also indicate the actions that have been taken to ensure that this situation is not repeated.

### *Monitoring of the geochemical characteristics of waste rock*

As per the above-mentioned conditions of the CA, the 2019 annual report should have presented the results of the leaching tests carried out using the TCLP, SPLP and CTEU-9 methods, as well as the results of tailings monitoring and the analysis of these results.

The use of the sterile waste rock pit began in mid-July 2019. However, according to the annual report, only one sampling campaign took place in 2019, on November 22, 2019, which is contrary to the proponent's commitment to sample twice a month, or the equivalent of 24 samples/million tonnes of waste rock. These samples should undergo analysis to measure the percentage of sulfur to assess acid generation potential, and evaluate the level of leachability. The KEQC considers that the proponent should indicate the quantity of waste rock in the sterile waste rock pit so that calculations may be made and it can be known whether the proponent fulfilled its commitment of 24 samples per million tonnes. This information was missing from the 2019 annual report.

**QC - 6.** The KEQC reminds the proponent that leaching tests should be performed with TCLP, SPLP and CTEU 9 methods.

**QC - 7.** To justify the lack of monitoring of the geochemical characteristics of waste rock in either 2017 or 2018, the proponent stated that there has been no "real deposit" of waste rock to date. The KEQC asks the proponent to specify what it means by "real deposit." The quantity of waste rock deposited in the pit and the results of the waste rock characterization should be presented in table form in the body of the report and should include 2019 data. Finally, the proponent will have to explain why it did not perform the required tests on the waste rock.

#### *Geotechnical monitoring of major structures*

**QC - 8.** In its report, the proponent stated that it has provided a hydrogeological and hydrological study to determine the number of years required to completely fill the pit. However, the results of this study are missing from section 10 of its report. The KEQC asks the proponent to include in its next report the results of the pit filling study mentioned in Section 10 of the 2019 annual report.

#### *Surface-water-quality monitoring*

Although surface water quality monitoring results were presented in the 2018 and 2019 reports, the analytical method used has not been specified. The KEQC infers that the trace method was used, as per the conditions of the certificate of authorization and its amendments, but this has not been confirmed.

**QC - 9.** The KEQC asks the proponent to confirm that the trace method was used. However, the proponent must also confirm the methodology used during its sampling campaigns to characterize the initial state of the environment that is central to its report.

In its 2018 annual report, the proponent indicated that a comparative chart of data from 2015 to 2018, showing all exceedances, was presented in Appendix 2 (section 4.1 of the 2018 report). The KEQC did not find this table in the documents received.

**QC - 10.** The KEQC requests the proponent present, in the body of its next annual report, a comparative table of data on the initial state of surface water quality, from 2015 to 2018, and add to this the data for 2019 and 2020 as well as the analysis and interpretation of the results. It must also annex the laboratory results.

*Sediment quality monitoring*

According to the conditions of the certificate of authorization, the results of the initial sediment quality characterization and the location of the sampling stations should be presented in the 2019 annual report. It was agreed that sediment sampling stations be established in stable sedimentation areas, for example, in Fra or Frontier lakes for the Goodwood site. In addition to the parameters in the sediment quality monitoring program dated January 2017, the proponent must monitor parameters for which an Effluent Discharge Objective (EDO) has been calculated.

**QC - 11.** Although the location of the sampling station and the results of the initial sediment quality characterization carried out in 2019 were presented, the analysis of all the parameters for which EDOs were calculated was incomplete: the measures of aluminium, iron, manganese, selenium, C10-C50 hydrocarbons and hydrogen sulphide were missing. The KEQC asks the proponent to provide this analysis and to include in its monitoring program all parameters for which EDOs have been calculated.

**QC - 12.** In its January 2017 update, the proponent indicated that a series of sediment samples would be taken before mining began, to characterize the initial state of the environment. It is the KEQC's understanding that a series of samples was collected in 2019, but only at the Fra Lake station. It would seem that no characterization of the initial state was performed at the Migration Lake station. The KEQC asks the proponent to justify this situation and explain what, if anything, it intends to do to remedy it.

The first sediment monitoring was carried out in 2019 with, as a reference framework, the *Land Protection and Rehabilitation Regulation*, which is not appropriate for the assessment of sediment quality; the appropriate reference tool for such monitoring is *Criteria for the Assessment of Sediment Quality in Quebec and Application Frameworks: Prevention, Dredging and Remediation*.

**QC - 13.** The KEQC requests that the proponent submit a sediment quality assessment of the 2019 sampling campaign based on the limits presented in the document *Criteria for the Assessment of Sediment Quality in Quebec and Application Frameworks: Prevention, Dredging and Remediation*.

### *Caribou monitoring*

As per the conditions of the CA, the 2019 annual report should have included an overview of caribou-tagging and telemetry efforts, as well as a summary of cash and in-kind contributions to the George River Caribou Herd Monitoring Program and the Ungava Caribou Research Program.

The KEQC sees that a brief description of the research has been provided, as well as the proponent's contributions to the research projects. However, the results of the monthly analysis of the status of the caribou near the site seem to be lacking.

**QC - 14.** The KEQC asks the proponent to present the results of the caribou monitoring for 2019 in its next annual report, under confidential cover.

### *Human-environment monitoring programs*

**QC - 15.** The KEQC observes that the 2018 annual report does not mention the Innu blockade of the mine access road in July 2018. This blockade was allegedly caused because of a breach of an agreement between the Innu community and the company, and for environmental reasons, in particular the problem of red water discharge into the environment. The KEQC considers this to be an important event that should be discussed in the "Community" section.

### *Citizen information program*

As per Condition 19 of the certificate of authorization (amended on December 15, 2013), the citizen information program must make it possible to directly reach as many people as possible to explain the nature of the mining operations, the precautions taken to protect the environment and the corrective measures that will be taken to resolve issues experienced by land users. However, the proponent declared in its 2018 annual report that it had decided not to publish notices in the *Innuvelle* and *Nunatsiaq News* newspapers, but rather to focus on direct interactions with stakeholders and community radio stations.

**QC - 16.** The proponent must submit an annual notice in the *Innuvelle* and *Nunatsiaq News* newspapers.

**QC - 17.** The proponent indicated that the Community Committee on Health, Safety and Environment committee, established in 2013 and composed of the Naskapi Nation of Kawawachikamach, the Innu Matimekush Nation of Lac John, Innu Takuaiakan Uashat mak Mani-utenam and the NunatuKavut community council, met on February 20 and December 4, 2019. The KEQC wishes to remind the proponent that committee meeting minutes must be filed no later than four months after each meeting, as required by Condition 21 of the January 11, 2013, certificate of authorization.

**QC - 18.** In Appendix 8 of the annual report, the proponent indicates all the consultations it has carried out with all stakeholders. However, Appendices E and G do not provide a clear understanding of which individuals and communities were consulted and how. The KEQC wishes to remind the

proponent that annual reports must also enable the KEQC to determine whether the citizens of the communities of Kawawachikamach and Matimekosh–Lac John, as well as the Kativik Regional Government (KRG) have been properly informed. The KEQC recommends that the proponent present this information in a clear and concise manner in its annual reports.

### *Monitoring regarding the social perceptions of Project 2A*

In 2017, the proponent sent the results of a 2014 study that did not correspond to the terms of Conditions 19, 20 and 21 of the certificate of authorization in regards to the assessment of the social perceptions of Project 2A by land users. In January 2019, the KEQC asked the proponent to carry out this assessment and to forward the results to the Administrator, as required by the certificate of authorization. The proponent indicated in its 2018 annual report that the assessment of the social perceptions of Project 2A would be conducted at the end of 2019/beginning of 2020 to accommodate its new environmental departments. The proponent then indicated in its 2019 report that this assessment was slated for 2020 and would be conducted among the citizens of Matimekush-Lac John and Kawawachikamach. This study should have been combined with a feedback and complaint management plan. The KEQC wishes to remind the proponent that recommendations to improve the questionnaires for the assessment of social perceptions were sent with the questions and comments on the 2017 annual report.

**QC - 19.** The KEQC asks the proponent to carry out this assessment of the social perceptions of Project 2A and submit its results to the Administrator as soon as the results are available, unless it has incorporated this information into its next annual report (2020), as required under the certificate of authorization. This information should also be included in the next annual report. Once these results have been received, the KEQC will determine whether or not it is necessary for the proponent to repeat this assessment every five years, as originally planned.

### *Waste management*

The 2017 annual report mentioned concerns expressed by communities about water quality, without providing further details about these concerns. The 2019 report mentions a “national emergency” concerning a “red lake.” The proponent confirmed that the origin of this “was the Goodwood pit, used to store water so as to prevent discharge into the natural environment.” Condition 20 of the certificate of authorization requires the proponent to attach all complaints received to its monitoring of social perceptions. The KEQC would like to remind the proponent that it was asked to provide the number of complaints received, the subjects of these complaints, the names of the communities from which each complaint originated and what action has been taken in response to these complaints. The proponent must also indicate what means are available to the communities for submitting their complaints.

**QC - 20.** The KEQC observes that this information is not presented in either of the 2018 or 2019 annual reports. The 2019 annual report stated that the 2020 report would contain a plan for managing feedback and complaints. The KEQC reiterates that

the proponent should have included this complaint management plan in its 2018 annual report. Consequently, the KEQC asks the proponent to send this plan to the Administrator as soon as it becomes available. This information should also be included in the next annual report.

### *Incidents*

In its 2018 annual report, the proponent referred to some incidents that occurred in 2017 and 2018.

In July 2017, runoff of red water was noted running towards Lake Fra. The sterile waste rock pit was built as planned and the clean water diversion ditch was no longer feasible. The proponent mentioned that solutions were being sought.

In June 2018, when the snow melted, damage was identified. This damage rendered inoperative the accumulation basin for the water from the operating site. Exfiltration was observed downstream of the dam of the accumulation basin. Considering the extent of the work required to completely and finally repair the basin, a contingency plan was initiated. The incident report and emergency preparedness plan are presented in the 2018 annual report.

**QC - 21.** With respect to the 2017 incident, the proponent was asked about the solution found, if this solution had been implemented and, if not, to give the timeline for completing it. Finally, the proponent must describe what changes will be made to the anticipated impacts of the project. In its 2018 report, the proponent stated that it was still looking for a solution to this problem and monitoring was not presented in its 2019 annual report. The KEQC again asks the proponent to specify which solution it is considering and the timetable for implementing the measure. Further, the KEQC asks the proponent to update the foreseen impacts of the project, in light of these incidents.

**QC - 22.** With respect to the 2018 incident, since the permanent solution was to be implemented in the summer of 2019, the KEQC asks the proponent to provide details in its next annual report on its monitoring of the implementation and to indicate the effectiveness of the solution.

In its 2019 annual report, the proponent reports on water exfiltration observed during snowmelt that came from an accumulation of groundwater in the main basin. The results of the May 19, 2019, exfiltration water analysis are presented in Table 2 of the report, but the iron concentration was not recorded.

**QC - 23.** The KEQC asks the proponent to add the missing iron concentration to Table 2 of its 2019 annual report.

**QC - 24.** The KEQC also requests that the proponent provide, in its next annual report, an update on its activities at the Goodwood and Sunny sites and timelines for Sunny's activities. The proponent must detail in its next annual report the measures it is putting in place at its site to avoid breakage, dislodging or slipping of equipment that could have an impact on the environment. This update must include, but not be limited to the docks, the pit and the culverts.



*Consultations for the restoration plan*

The proponent has already filed the February 2016 version of its conceptual reclamation plan with the Administrator. The proponent mentioned in its 2018 annual report that the closure and rehabilitation plan for the Project 2A was provided to the Environmental and Social Monitoring Committee at the plan's completion in 2016 and was discussed when a representative of the Naskapi Nation of Kawawachikamach was attended the March 28, 2019, committee meeting. According to information provided by the proponent, the Environmental and Social Monitoring Committee is composed of the Kativik Regional Government, the Makivik Corporation and the proponent. It would therefore appear that the Innu community of Matimekosh–Lac John was not consulted by this committee, contrary to the requirements of Condition 15 of the CA.

**QC - 25.** The KEQC is asking the proponent, as per Condition 15 of the January 11, 2013, certificate of authorization, to consult with the communities of Kawawachikamach and of Matimekosh–Lac John as well as the KRG, when developing the next update of the conceptual reclamation plan. The results of this consultation must be presented in the next annual report.

*Presentation of the report*

**QC - 26.** The KEQC notes that certain sections of the appendices to the French version of the 2019 annual report have not been translated into French. These include the Appendix IV (*Benthos Inventory Report*), Appendix VI (*Technical Note on Geotechnical Monitoring*) and Appendix VIII (*Relationship with the Community*). The KEQC recommends that the proponent present all the information in French in the French versions of its annual reports.

Finally, since the Goodwood 2A Project is located in the Naskapi area of interest, the KEQC is sending a copy of this letter to the Naskapi Nation.

Cordially,

President,

Mr. Mr. Pierre Philie

c.c.: Chief Noah Swappie, Naskapi Nation of Kawawachikamach