

PERMIT TO ALTER A BODY OF WATER

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 48

Date: **SEPTEMBER 21, 2017**

File No: **534-01**

Permit No: **ALT9371-2017**

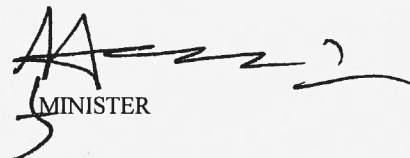
Permit Holder: **Department of Natural Resources
50 Elizabeth Avenue
P.O. Box 8700
St. John's NL A1B 4J6**

Attention: **Mr. Darren Pittman**

Re: **Consolidated Rambler Mine (OAM)- Rehabilitation of Tailings Dams**

Permission is hereby given for : **rehabilitation of the Northeast Dam, Southeast Dam and Northwest Dam including replacement of the Northwest Dam timber spillway with an earthen spillway with a geotextile liner, widening and heightening of dam crests, flattening of embankment slopes, placement of riprap along embankment slopes, and associated appurtenances and activities as detailed in the application received from Amec Foster Wheeler on September 1, 2017.**

- This Permit does not release the Permit Holder from the obligation to obtain appropriate approvals from other concerned municipal, provincial and federal agencies.
- The Permit Holder must obtain the approval of the Crown Lands Administration Division if the project is being carried out on Crown Land.
- This Permit is subject to the terms and conditions indicated in Appendices A and B (attached).
- It should be noted that prior to any significant changes in the design or installation of the proposed works, or in event of changes in ownership or management of the project, an amendment to this Permit must be obtained from the Department of Municipal Affairs and Environment under Section 49 of the *Water Resources Act*.
- Failure to comply with the terms and conditions will render this Permit null and void, place the Permit Holder and their agent (s) in violation of the *Water Resources Act* and make the Permit Holder responsible for taking any remedial measures as may be prescribed by this Department.



MINISTER

APPENDIX A
Terms and Conditions for Permit

Dam/Reservoir Design

1. Reservoirs must be provided with a spillway of adequate capacity to safely discharge design flows at non-erosive velocities without causing flooding of the reservoir or damage to the spillway or section downstream channel.
2. Alteration of the natural minimum streamflow is not permitted in order to preserve aquatic life.
3. The dam and appurtenant structures shall be constructed at the following coordinates:

Name	Datum	Northing (m)	Easting (m)	Zone
Northwest Dam	NAD83	5528027.22	564187.15	21
Southeast Dam	NAD83	5526988.07	566105.64	21
Northeast Dam	NAD83	5528147.87	565207.07	21

4. The dam(s) must have the following dimensions:

Name	Height/Elev of Dam (m)	Elev of Spillway (m)	Maximum Water Elevation (m)	Minimum Water Elevation (m)	Minimum Freeboard (m)
Northwest Dam	3/119.5	117.8	118.2	117.8	0.38
Southeast Dam	2.5/141.5	N/A	140.59	141.4	0.56
Northeast Dam	3/124	N/A	122.44	121.7	1.28

5. To safely convey peak flows the dam(s) must be designed according to the following hydraulic criteria:

Name	Design Return Period (years)	Inflow Design Flood (m ³ /s)
Northwest Dam	100	1.94

General Alterations

6. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
7. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
8. Water pumped from excavations or work areas, or any runoff or effluent directed out of work sites, must have silt and turbidity removed by settling ponds, filtration, or other suitable treatment before discharging to a body of water. Effluent discharged into receiving waters must comply with the *Environmental Control Water and Sewage Regulations, 2003*.

9. All operations must be carried out in a manner that prevents damage to land, vegetation, and watercourses, and which prevents pollution of bodies of water.
10. The use of heavy equipment in streams or bodies of water is not permitted. The operation of heavy equipment must be confined to dry stable areas.
11. All vehicles and equipment must be clean and in good repair, free of mud and oil, or other harmful substances that could impair water quality.
12. Any areas adversely affected by this project must be restored to a state that resembles local natural conditions. Further remedial measures to mitigate environmental impacts on water resources can and will be specified, if considered necessary in the opinion of this Department.
13. The bed, banks and floodplains of watercourses, or other vulnerable areas affected by this project, must be adequately protected from erosion by seeding, sodding or placing of rip-rap.
14. All waste materials resulting from this project must be disposed of at a site approved by the Department of Service NL.
15. Care must be taken to prevent spillage of pollutants into the water.
16. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
17. Sediment and erosion control measures must be installed before starting work. All control measures must be inspected regularly and any necessary repairs made if damage is discovered.
18. Fill material must be of good quality, free of fines or other substances including metals, organics, or chemicals that may be harmful to the receiving waters.
19. The attached Completion Report (Appendix C) for Permit No. 9371 must be completed and returned to this Department upon completion of the approved works. Pictures must be submitted along with the completion report, showing the project site prior to and after development.
20. This Permit is valid for two years from the date of issue. Work must be completed by that date or the application and approval procedure must be repeated. The following terms are valid for the life cycle of the dam structure: 23, 26.
21. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.
22. All work must be carried out within the Permit Holder's legal property boundaries.

Dam Safety

23. The 3 identified dams have been conditionally classified in the LOW Consequence category based on the 2007 Canadian Dam Association (CDA) guidelines. The dam consequence classification should be reviewed periodically, since there may be changes to downstream development over time. If the classification increases, a Dam Safety Review is required at that time. The dam owner must carry out an annual Dam Safety Inspection and provide the results to this Department.

Special Conditions

24. The dam and associated works shall be designed according to the Canadian Dam Association Dam Safety Guidelines and associated Bulletins (most recent edition).
25. The dam and associated works must be designed and constructed under the direct supervision of an engineer eligible for membership with the Professional Engineers and Geoscientists of Newfoundland and Labrador (or equivalent Canadian organization) who is able to demonstrate competence in the design, construction, and surveillance of dams.
26. The Department of Environment and Conservation may require the set-up of water resources monitoring stations through a Memorandum of Agreement as per provisions of Section 31 of the Water Resources Act, SNL2002 Chapter W-4.01.

Dam Construction

27. All rehabilitated earthen dam embankments shall have an upstream slope of 3H:1V and a downstream slope of 2.5H:1V.

28. Fill material must be obtained from an approved quarry site. It must not be taken from beaches or streams, and must not be dredged from a body of water.
29. All rehabilitated earthen dam upstream embankments shall be protected from wave induced erosion with a 0.65 m layer of D50= 250 mm riprap. The Northwest Dam downstream embankment shall have a 0.65 m layer of D50= 250 mm riprap through the section of the dam along which the North Diversion Channel flows. Riprap shall be placed from the crest to the toe of the dam where operating water depth is less than 1 m. Where the water depth is greater than 1 m, the riprap shall be tied into the underlying blast rock fill layer. A riprap apron shall extend 2 m from the toe where water depth is 1 m or less.
30. All rehabilitated dam crest shall be widened to a width of 5 m not including the width of the embankment riprap layer. Dam crests shall have a 2.0% slope up towards the upstream embankment to allow for drainage from the crest and prevent ponding of water. Dam crests shall be surfaced with 100 mm granular fill.
31. The existing timber spillway structure on the Northwest Dam shall be removed. Material shall be removed down to the native soil. Prior to reconstruction of the spillway, the site shall be inspected by a qualified geotechnical engineer to determine the potential for seepage under the spillway. If native soil has a high permeability, it shall be removed and replaced with till.
32. A new earthen spillway shall be constructed at the location of the previous spillway on the Northwest Dam. The spillway invert shall be 10 m wide with 5H:1V side slopes. The spillway shall have a geotextile placed over the till layer. The geotextile shall be protected by a 0.65 m layer of D50= 250 mm rip rap including a 2 m long apron at the spillway outlet. The spillway shall be made fordable to allow access to the West Dam.
33. Where pumping is used to bypass flow, cofferdams must be installed both above and below areas of construction. The Permit Holder must provide pumps with sufficient capacity to prevent washout of cofferdams.
34. Cofferdams must be properly designed and constructed of suitable materials to prevent leakage and to resist loss of any material as a result of erosion. Cofferdams must be removed upon completion of their intended function. All material must be removed carefully to prevent disturbance of the water body and to prevent water quality degradation.
35. The area to be flooded by the reservoir must be prepared by removing timber, brush, and slash up to the maximum water elevation.
36. The transportation of labour and materials to the site must be along existing access roads.
37. Vehicles should not travel on the dams in their current state due to the risk of slope failure. Dams should be rehabilitated to their design slopes and work on the crests finished before vehicles can travel over the dam. Vehicles should not travel within 0.5 m of the rehabilitated dam crest edge or remain stationary on a rehabilitated dam for an extended duration. Travel on the dams should be limited to site access and off-loading of materials.

APPENDIX B
Special Terms and Conditions for Permit

1. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall keep all systems and works in good condition and repair and in accordance with all laws, by-laws, directions, rules and regulations of any governmental authority. The Permit Holder or its agent(s), subcontractor(s), or consultant(s) shall immediately notify the Minister if any problem arises which may threaten the structural stability of the systems and works, endanger public safety and/or the environment or adversely affect others and/or any body of water either in or outside the said Project areas. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall be responsible for all damages suffered by the Minister and Government resulting from any defect in the systems and works, operational deficiencies/inadequacies, or structural failure.
2. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall operate the said Project and its systems and works in a manner which does not cause any water related and/or environmental problems, including but not limited to problems of erosion, deposition, flooding, and deterioration of water quality and groundwater depletion, in or outside the said Project areas. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall be responsible for any and all damages associated with these problems caused as a result of changes, deficiencies, and inadequacies in the operational procedures by the Permit Holder or its agent(s), subcontractor(s), or consultant(s).
3. If the Permit Holder or its agent(s), subcontractor(s), or consultant(s) fails to perform, fulfil, or observe any of the terms and conditions, or provisions of this Permit and/or Ministerial orders and guidelines, as determined by this Department, the Minister may, after providing ten (10) day notice to the Permit Holder, amend, modify, suspend or cancel this Permit in accordance with the *Water Resources Act*.
4. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) indemnify and hold the Minister and Government harmless against any and all liabilities, losses, claims, demands, damages or expenses including legal expenses of any nature whatsoever whether arising in tort, contract, statute, trust or otherwise resulting directly or indirectly from granting this Permit, systems and works in or outside the said Project areas, or any act or omission of the Permit Holder or its agent(s), subcontractor(s), or consultant(s) in or outside the said Project areas, or arising out of a breach or non-performance of any of the terms and conditions, or provisions of this Permit by the Permit Holder or its agent(s), subcontractor(s), or consultant(s).
5. This Permit is subject to all provisions of the *Water Resources Act* and any regulations in effect either at the date of this Permit or hereafter made pursuant thereto or any other relevant legislation enacted by the Province of Newfoundland and Labrador in the future.
6. This Permit shall be construed and interpreted in accordance with the laws of the Province of Newfoundland and Labrador.

- cc: Mr. Kevin Penney, MScEng, P.Eng.
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- cc: Mr. Alex Smith, P. Eng.
Director, Mineral Development Division
Department of Natural Resources
50 Elizabeth Avenue, P.O. Box 8700
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- cc: File Copy for Binder
- cc: Ms. Paula Dawe, P.Eng.
Manager, Drinking Water and Wastewater Section
Water Resources Management Division
Department of Municipal Affairs and Environment
P.O. Box 8700
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- cc: Fisheries Protection Division
Ecosystem Management Branch
Fisheries and Oceans Canada
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FPP-NL@dfo-mpo.gc.ca

Appendix C - Completion Report

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 48

Date: **SEPTEMBER 21, 2017**

File No: **534-01**

Permit No: **ALT9371-2017**

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I (the Permit Holder named above or agent authorized to represent the Permit Holder) do hereby certify that the project described above was completed in accordance with the plans and specifications submitted to the Department of Municipal Affairs and Environment and that the work was carried out in strict compliance with the terms and conditions of the Permit issued for this project.

Date: _____

Signature: _____

This completion report must be completed and forwarded to the following address upon completion of the approved work.

Department of Municipal Affairs and Environment
Water Resources Management Division
PO Box 8700
St. John's NL A1B 4J6

APPENDIX D
Location Map for Permit

