



Transport Canada

Nunavut Impact Review Board Final Hearing
Baffinland Iron Mines Corporation Mary River Project
Summary Presentation - July 2012





OVERVIEW OF PRESENTATION

- Transport Canada (TC) participation in review process
- TC mandate
- Specific key issues pertaining to TC
 - Marine Transportation Safety
 - Marine Transportation Security
 - Rail Transportation Safety
 - Transportation of Dangerous Goods
 - Aviation Safety
- Summary of recommendations



PARTICIPATION IN NIRB REVIEW

- TC has outlined its responsibility for authorizing or ensuring the compliance of components of the Project in accordance with all applicable legislation and regulations.
- TC provided specialist information and expert advice to NIRB through written submissions and technical meetings.



TRANSPORT CANADA MANDATE

- Seeks to promote an integrated transportation system that is safe, secure, efficient, and environmentally responsible.
- Responsible for transportation regulations, policies and programs.
- Regulates associated transportation infrastructure, equipment and personnel in accordance with the legislation and regulations within TC's mandate.



MARINE TRANSPORTATION SAFETY

- TC identified the marine transportation regulatory programs relevant to the Project, and noted the Proponent's responsibilities to meet these regulatory requirements.
- These include programs related to vessel safety, security, pollution prevention, pollution response, marine liability and compensation, and navigable waters.



MARINE TRANSPORTATION SECURITY

- TC is responsible for increasing the level of protection of Canada's marine transportation system against unlawful interference, terrorism attacks, security threats and to assist industry to achieve compliance with marine security legislation and regulations associated with certification and inspection of vessels, ports and marine facilities.
- The *Marine Transportation Security Act* applies to vessels and marine facilities in Canada, Canadian ships outside of Canada and maritime installations.



RAIL TRANSPORTATION SAFETY

- TC works to advance a safe and efficient national rail transportation system through regulation, outreach and oversight.
- TC is responsible for developing and implementing policies, regulations and services, as well as the overall administration of the *Railway Safety Act* (RSA). The Department monitors for compliance with the RSA and related regulations as well as operating rules and engineering standards that are developed and applied by the railway industry.



RAIL TRANSPORTATION SAFETY

- If the railway between the mine site and Steensby Port is issued a Certificate of Fitness by the Canadian Transportation Agency, it would constitute a federally-regulated railway and would be subject to the RSA and related rail safety regulatory framework.
- TC expects that all of the Proponent's railway-related activities would comply with applicable legislation, regulations, rules and engineering standards including, for example:
 - *Railway Safety Management System Regulations*
 - Filing/approval of appropriate rules and engineering standards



TRANSPORTATION OF DANGEROUS GOODS

- TC has the authority to promote public safety during the transportation of dangerous goods in all modes of transport.
- The *Transportation of Dangerous Goods Regulations* adopted by all territories, focus on preventing hazardous incidents when dangerous goods are imported, handled, or transported.
- *Section 7 of the Transportation of Dangerous Goods Act, 1992*, requires that before a person offers for transport or imports certain dangerous goods, the person must have an approved Emergency Response Assistance Plan (ERAP).

AVIATION SAFETY

- TC is responsible under the *Aeronautics Act*, for the regulation of aeronautics and the supervision of all matters connected with aeronautics, including:
 - Aerodrome standards and certification
 - Emergency response planning
 - Wildlife planning and management
- The Proponent is currently operating a registered aerodrome at Mary River, a non-registered aerodrome at Milne Inlet and proposes to construct an aerodrome at Steensby Inlet.



SUMMARY OF RECOMMENDATIONS

- **Shipping route and suitability of vessels for year-round shipping:**
 - The Proponent work closely with TC to proactively address the unique challenges of the proposed shipping operations and routes in the Arctic.
 - The Proponent indicate what measures will be taken to provide the bathymetric information to the vessels and how this bathymetric information can be shared with Canadian Hydrographic Services.
 - The Proponent demonstrate, to appropriate regulatory authorities, its capability to meet regulatory requirements prior to commencing shipping activities.



SUMMARY OF RECOMMENDATIONS

- **Oil spill prevention:**
 - The operator of the OHFs should be prepared to respond in accordance with the *Response Organizations and Oil Handling Facilities Regulations* and applicable standards.
 - The Proponent should continue to work closely with TC as it develops its plans to ensure their OPEPs and OHFs are compliant with the CSA 2001 and associated regulatory requirements and the AWPPA.



SUMMARY OF RECOMMENDATIONS

- **Overwintering accommodation vessels/barges:**
 - Due to the remote location and cold weather environment, the vessels/barge and all systems must be designed for the anticipated ice conditions and comply with the CSA 2001 and the ASPPR.



SUMMARY OF RECOMMENDATIONS

- **Aviation Safety:**
 - Aerodromes should be constructed to meet the requirements of the current edition of TP 312 *Aerodrome Standards and Recommended Practices*.
 - TC recommends the Proponent registers the aerodromes at Milne Inlet and Steensby Inlet.
 - TC has the authority to impose flight restrictions on aircraft operations. The guidance for pilots in respect to flights over birds and wildlife is provided in TC document, Aeronautical Information Manual RAC Sections 1.14 and 1.15 and voluntary compliance is recommended.

SUMMARY OF RECOMMENDATIONS

- **Railway:**
 - TC expects the Proponent to comply with applicable legislation (RSA, *Canadian Transportation Accident Investigation and Safety Board Act, etc.*) and regulations, to adopt and/or formulate appropriate rules and engineering standards and to consult Transport Canada's policies and guidelines.
- **Transportation of Dangerous Goods:**
 - TC expects that the Proponent's activities would comply with the *Transport of Dangerous Goods Act, 1992*, regulations, and standards for the transport of dangerous goods by all modes.



CONCLUSION

- TC will continue to work with NIRB, other Federal and Nunavut Government Agencies, stakeholders and the Proponent in the environmental review of the Mary River Project.
- Based upon review of the FEIS and supporting documentation provided by Baffinland Iron Mines Corporation, TC has not identified any concerns as defined by TC's mandate, that would prohibit the Project proceeding to the regulatory approval stage.