

**From:** [Downing, Adam \(TC/TC\)](#)  
**To:** [nirb.info](#)  
**Subject:** [EXTERNAL] Transport Canada's comments on the 2023 Baffinland Iron Mines Corporation's Mary River Project Annual Report  
**Date:** July 4, 2024 10:32:35 AM

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## UNCLASSIFIED / NON CLASSIFIÉ

Good Morning,

In response to the Nunavut Impact Review Board's request of May 9, 2024, Transport Canada has reviewed the Baffinland Iron Mines Mary River 2023 Annual Monitoring Report. Please note that Transport Canada's review was limited to those areas of the monitoring report that are relevant to the Department's mandate and areas of expertise. Please find our comments below.

### Transport Canada's annual report comments for the Baffinland Mary River Project.

Comment Number:	TC-01
Subject/Topic:	Inspections - Marine Transportation; Oil Handling Facility
References:	2023 Annual Report – Appendix G.8.5 2023 Oil Pollution Emergency Plan – Milne Inlet
Comment: <ul style="list-style-type: none"><li>• Gap/Issue</li><li>• Disagreement with the Annual Report conclusion</li><li>• Reasons for disagreement with the Annual Report conclusion</li><li>• Disagreement and reasons for disagreement with conclusions within the Additional Documents in the Appendix</li></ul>	<ul style="list-style-type: none"><li>• The Project's oil handling facility (OHF) is in compliance with regulatory requirements as per part 8 of the <i>Canada Shipping Act, 2001</i>.</li><li>• The Project's marine facility is in compliance with the Marine Transportation Security Regulations. The last inspection was carried out in 2023 along with the inspection of 4 vessels and all were found to be in compliance with the Marine Transportation Security Regulations.</li><li>• No enforcement activity was undertaken or required last year by Transport Canada for the OHF or marine facility.</li></ul>
Conclusion/Request	None

Comment Number:	TC-02
Subject/Topic:	Marine Safety Vessel Inspection
References:	General Inspection
Comment: <ol style="list-style-type: none"><li>1. Gap/Issue</li><li>2. Disagreement with the Annual Report conclusion</li><li>3. Reasons for disagreement with the Annual Report conclusion</li><li>4. Disagreement and reasons for</li></ol>	<ul style="list-style-type: none"><li>• Transport Canada's Marine Safety Branch inspected 9 vessels in 2023 and conducted ballast water inspections.</li><li>• No issues were found during the inspections and no enforcement actions were undertaken.</li></ul>

disagreement with conclusions within the Additional Documents in Appendix	
Conclusion/Request	None

Comment Number:	TC-03
Subject/Topic:	Canadian Navigable Waters Act
References:	General Inspection
Comment: 1. Gap/Issue 2. Disagreement with the Annual Report conclusion 3. Reasons for disagreement with the Annual Report conclusion 4. Disagreement and reasons for disagreement with conclusions within the Additional Documents in Appendix	<ul style="list-style-type: none"> <li>• In September 2023, Transport Canada's Navigation Protection Program conducted an inspection all watercourse crossings on the Tote Road and the proposed railway to Steensby Port.</li> <li>• No issues were found during the inspection and all crossings were constructed as approved under the Canadian Navigable Waters Act.</li> </ul>
Conclusion/Request	None

If you have any questions on the submission above, please do not hesitate to contact me.

Thank you,

Adam

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