

## Mining and Mineral Exploration – Legal and Regulatory Oversight

All mining and exploration projects, as well as their respective project-related activities, must conform to the provisions set out Section 22 JBNQA and to applicable laws and regulations, and sector-specific standards, directives and guidelines. The following table lists the most significant ones that apply for projects in the James Bay Territory. To ease comprehension, Section 22 JBNQA and the applicable provincial ones are listed first, federal ones are listed second and are marked with an asterisk ( \* ).

The following table is not exhaustive and is provided for informational purposes only. Depending on project specifics, some or all may apply. Ultimately, proponents have the responsibility to ensure that their projects meet all legal requirements.

Mineral development activity and project-related activity	Applicable laws, regulations, standards, directives and guidelines
<p>Mining project, above-ground or underground – includes:</p> <ul style="list-style-type: none"> <li>- Mine construction and operation;</li> <li>- Accumulation areas construction and operation;</li> <li>- Dewatering (keeping excavations dry);</li> <li>- Effluent treatment;</li> <li>- Closure, restoration and rehabilitation.</li> </ul>	<p>Section 22 JBNQA: all <u>mining</u> projects in the James Bay Territory are automatically subject to environmental and social impact assessments and reviews.</p> <p><i>Mining Act</i> (CQLR c.M-13.1)</p> <p><i>Regulation respecting mineral substances other than petroleum, natural gas and brine</i> (CQLR c.M-13.1 r.2)</p> <p><i>Guidelines for preparing a mining site rehabilitation plan and general mining site rehabilitation requirements</i> (1997)</p> <p><i>Environment Quality Act</i> (CQLR c.Q-2)</p> <p><i>Groundwater catchment regulations</i> (CQLR c.Q-2 r.6)</p> <p><i>Directive 019 sur l'industrie minière</i> (March 2012)</p> <p><i>Regulation respecting occupational health and safety in mines</i> (CQLR c.S-2.1 r.14)</p> <p><i>Canadian Environmental Assessment Act</i> (RSC 2012 c.19 s.52)<sup>1</sup> *</p> <p><i>Fisheries Act</i> (RSC 1985 c.F-14)*</p> <p><i>Metal mining effluent regulations</i> (SOR 2002-222)*</p> <p><i>Deposit out of normal course of events regulations</i> (SOR 2011-91)*</p> <p><i>Wastewater systems effluent regulations</i> (SOR 2012-139)*</p>

<sup>1</sup> Depending on the mining project's specifics, some may also be subject to environmental assessments in light of the *Regulations Designating Physical Activities* (SOR 2012-147) established under the *Canadian Environmental Assessment Act, 2012*.

Mineral development activity and project-related activity	Applicable laws, regulations, standards, directives and guidelines
<p>Exploration project, above-ground or underground – includes:</p> <ul style="list-style-type: none"> <li>- Claim obtention;</li> <li>- Prospecting;</li> <li>- Geophysical / geochemical surveying;</li> <li>- Preliminary surface sampling;</li> <li>- Technical evaluation;</li> <li>- Examination of outcrops;</li> <li>- Surface trenching and pitting;</li> <li>- Drilling operations;</li> <li>- Bulk sampling;</li> <li>- Ramps / shaft excavation and dewatering;</li> <li>- Accumulation areas construction and operation;</li> <li>- Closure, restoration and rehabilitation.</li> </ul>	<p>Section 22 JBNQA: depending on the exploration project’s specifics, some may be subject to environmental and social impact assessments and reviews.</p> <p><i>Mining Act</i> (CQLR c.M-13.1)</p> <p><i>Regulation respecting mineral substances other than petroleum, natural gas and brine</i> (CQLR c.M-13.1 r.2)</p> <p><i>Guidelines for preparing a mining site rehabilitation plan and general mining site rehabilitation requirements</i> (1997)</p> <p><i>Environment Quality Act</i> (CQLR c.Q-2)</p> <p><i>Groundwater catchment regulations</i> (CQLR c.Q-2 r.6)</p> <p><i>Directive 019 sur l’industrie minière</i> (March 2012)</p> <p><i>Fisheries Act</i> (RSC 1985 c.F-14)*</p> <p><i>Deposit out of normal course of events regulations</i> (SOR 2011-91)*</p> <p><i>Wastewater systems effluent regulations</i> (SOR 2012-139)*</p>

Mineral development activity and project-related activity	Applicable laws, regulations, standards, directives and guidelines
<p>Establishment of camps – includes:</p> <ul style="list-style-type: none"> <li>- Installations for potable water;</li> <li>- Facilities for storage, treatment and disposal of <u>domestic</u> waste-waters and residual wastes.</li> </ul>	<p><i>Mining Act (CQLR c.M-13.1)</i></p> <p><i>Ministerial Order respecting the types of construction that the holder of a claim, a mining exploration licence or a licence to explore for surface mineral substances may erect or maintain on lands of the domain of the State without ministerial authorization (CQLR c.M-13.1 r.3)</i></p> <p><i>Environment Quality Act (CQLR c.Q-2)</i></p> <p><i>Regulation respecting the application of section 32 of the Environment Quality Act (CQLR c.Q-2 r.2)</i></p> <p><i>Groundwater catchment regulation (CQLR c.Q-2 r.6)</i></p> <p><i>Regulation respecting sanitary conditions in industrial or other camps (CQLR c.Q-2 r.11)</i></p> <p><i>Regulation respecting the declaration of water withdrawals (CQLR c.Q-2 r.14)</i></p> <p><i>Regulation respecting the landfilling and incineration of residual materials (CQLR c.Q-2 r.19)</i></p> <p><i>Regulation respecting waste water disposal systems for isolated dwellings (CQLR c.Q-2 r.22)</i></p> <p><i>Regulation respecting the quality of the atmosphere (CQLR c.Q-2 r.38)</i></p> <p><i>Regulation respecting the water property in the domain of the State (CQLR c.R-13 r.1)</i></p> <p><i>An Act respecting occupational health and safety (CQLR c.S-2.1)</i></p> <p><i>Construction Code (CQLR c.B-1.1 r.2)</i></p> <p><i>Safety Code (CQLR c.B-1.1 r.3)</i></p> <p><i>Wastewater systems effluent regulations (SOR 2012-139)*</i></p>

Mineral development activity and project-related activity	Applicable laws, regulations, standards, directives and guidelines
Projects requiring the clearing of trees	<p><i>Mining Act</i> (CQLR c.M-13.1)</p> <p><i>Sustainable Forest Development Act</i> (CQLR c.A-18.1)</p> <p><i>Regulation respecting standards of forest management for forests in the domain of the State</i> (CQLR c.A-18.1 r.7)</p>
Projects requiring works in and around aquatic areas and habitats	<p><i>Mining Act</i> (CQLR c.M-13.1)</p> <p><i>Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains</i> (CQLR c.Q-2 r.35)</p> <p><i>Regulation respecting the water property in the domain of the State</i> (CQLR c.R-13 r.1)</p> <p><i>Regulation respecting standards of forest management for forests in the domain of the State</i> (CQLR c.A-18.1 r.7)</p> <p><i>Fisheries Act</i> (RSC 1985 c.F-14)*</p> <p><i>Bonnes pratiques pour les activités d’exploration minérale</i><sup>2</sup>*</p>
Projects requiring the use and storage of hazardous materials	<p><i>Mining Act</i> (CQLR c.M-13.1)</p> <p><i>Environment Quality Act</i> (CQLR c.Q-2)</p> <p><i>Regulation respecting halocarbons</i> (CQLR c.Q-2 r.29)</p> <p><i>Regulation respecting hazardous materials</i> (CQLR c.Q-2 r.32)</p> <p><i>Petroleum products regulation</i> (CQLR c.P-30.01 r.1)</p> <p><i>Act respecting Pressure Vessels</i> (CQLR c.A-20.01)</p> <p><i>Regulation respecting pressure vessels</i> (CQLR c.A-20.01 r.1)</p> <p><i>Fire Safety Act</i> (CQLR c.S-3.4)</p> <p><i>Canadian Environmental Protection Act</i> (RSC 1999 c.33)*</p> <p><i>Transportation of dangerous goods regulations</i> (SOR 2001-286)*</p> <p><i>Storage tank systems for petroleum products and allied petroleum products regulations</i> (SOR 2008-197)*</p> <p><i>CSA-B836-05, Storage, handling, and dispensing of aviation fuels at aerodromes</i>*</p> <p><i>Environmental Code of Practice for Aboveground and Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products</i>*</p>

<sup>2</sup> This document was published by the Québec regional office of Fisheries and Oceans Canada – Fish Management Habitat Branch in January 2013. It is only available upon request from the regional office located in Mont-Joli, Québec. This document is currently being revised (as of February 2015).

Mineral development activity and project-related activity	Applicable laws, regulations, standards, directives and guidelines
Projects requiring the use, storage and disposal of explosives	<p><i>An Act respecting explosives (CQLR c.E-22)</i></p> <p><i>Regulation under the Act respecting explosives (CQLR c.E-22 r.1)</i></p> <p><i>Highway Safety Code (CQLR c.C-24.2)</i></p> <p><i>Safety Code for the Construction Industry (CQLR c.S-2.1 r.4)</i></p> <p><i>Regulation respecting industrial and commercial establishments (CQLR c.S-2.1 r.6)</i></p> <p><i>Regulation respecting occupational health and safety (CQLR c.S-2.1 r.13)</i></p> <p><i>Regulation respecting occupational health and safety in mines (CQLR c.S-2.1 r.14)</i></p> <p><i>Explosives Act (RSC 1985 c.E-17)*</i></p> <p><i>Explosives regulations (CRC c.599)*</i></p> <p><i>Transportation of Dangerous Goods Act (RSC 1992 c.34)*</i></p> <p><i>Transportation of dangerous goods regulations (SOR 2001-286)*</i></p> <p><i>Motor Vehicle Safety Act (RSC 1993 c.16)*</i></p> <p><i>General standard for the authorization and classification of explosives*</i></p> <p><i>CGSB-43.151-2012, Packaging, handling, offering for transport and transport of explosives (Class 1)*</i></p> <p><i>CSA-B620-03, Highway tanks and portable tanks for the transportation of dangerous goods*</i></p> <p><i>Canadian water quality guidelines for the protection of aquatic life – Nitrate Ion*</i></p> <p><i>Canadian water quality guidelines for the protection of aquatic life – Ammonia*</i></p> <p><i>Guidelines for bulk explosive facilities – Minimum requirements*</i></p> <p><i>Guidelines for the use of explosives in or near Canadian fisheries waters*</i></p> <p><i>Guidelines for the pumping of water-based explosives*</i></p> <p><i>National Building Code of Canada 2010*</i></p> <p><i>National Fire Code of Canada 2010*</i></p>

Mineral development activity and project-related activity	Applicable laws, regulations, standards, directives and guidelines
Construction of access trails and roads, winter or otherwise (includes closure)	<p>Section 22 JBNQA: depending on the scale of access roads, some may be subject to environmental and social impact assessments and reviews.</p> <p><i>Mining Act (CQLR c.M-13.1)</i></p> <p><i>Environment Quality Act (CQLR c.Q-2)</i></p> <p><i>Regulation respecting greenhouse gas emissions from motor vehicles (CQLR c.Q-2 r.17)</i></p> <p><i>Regulation respecting environmental standards for heavy vehicles (CQLR c.Q-2 r.37)</i></p> <p><i>Sustainable Forest Development Act (CQLR c.A-18.1)</i></p> <p><i>Regulation respecting standards of forest management for forests in the domain of the State (CQLR c.A-18.1 r.7)</i></p> <p><i>Highway Safety Code (CQLR c.C-24.2)</i></p> <p><i>An Act respecting off-highway vehicles (CQLR c.V-1.2)</i></p> <p><i>Regulation respecting snowmobiles (CQLR c.V-1.2 r.1)</i></p> <p><i>Regulation respecting off-highway vehicles (CQLR c.V-1.2 r.5)</i></p> <p><i>Regulation respecting all-terrain vehicles (CQLR c.V-1.2 r.6)</i></p> <p><i>Guide de signalisation routière sur les terres du domaine de l'État</i></p> <p><i>Guide – L'aménagement des ponts et des ponceaux dans le milieu forestier</i></p> <p><i>Saines pratiques – Voirie forestière et installation de ponceaux</i></p>
Construction of airstrips and helicopter take-off and landing zones, winter or otherwise (includes closure)	<p><i>Environment Quality Act (CQLR c.Q-2)</i></p> <p><i>Ouvrages Routiers – Normes: Airports and Heliports</i></p> <p><i>Aeronautics Act (RSC 1985 c.A-2)*</i></p> <p><i>Canadian Aviation Regulations (SOR 96-433)*</i></p> <p><i>Aircraft Emissions Standard – (Chapter 516 Part V of the Airworthiness Manual)*</i></p> <p><i>Aerodrome Standards and Recommended Practices – TP312E*</i></p> <p><i>Standard 325 – Heliports*</i></p> <p><i>Wildlife control procedures - TP 11500*</i></p>