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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

File No.: 1AR-NAN0914/Amendment-Renewal

April 2, 2014

Johan Skoglund  
Canzinc Ltd.  
c/o Nyrstar Canada (Holding) Ltd.  
2840 – 650 West Georgia Street  
P.O. Box 11552 Vancouver, BC V6B 4N8

Email: [johan.skoglund@nyrstar.com](mailto:johan.skoglund@nyrstar.com)

**Re: Licence No. 1AR-NAN0914; Amendment-Renewal Application by Canzinc Ltd. for Continued Reclamation and Post-Closure Monitoring Activities at the Nanisivik Mine Site**

Dear Mr. Skoglund:

Further to the Nunavut Water Board's (NWB or Board) January 29, 2014 correspondence<sup>1</sup> in which interested parties were invited to assess technical completeness of and/or submit Information Requests (IRs) pertaining to Canzinc Ltd., (Licensee or Proponent) Type "A" water licence renewal-amendment application (Application) for the continued remediation of the former Nanisivik Mine Site (Project), the Board has received a total of five submissions.<sup>2</sup> Submissions were received from Aboriginal Affairs and Northern Development Canada (AANDC), the Department of Fisheries and Oceans Canada (DFO), the Department of National Defence (DND), Environment Canada (EC), and Nyrstar Canada (Holding) Ltd.

Copies of the submissions received as well as all information associated with the file have been placed in the Board's Public Registry, and public access to the information made available

<sup>1</sup> Letter from P. Beaulieu, NWB, to Johan Skoglund, Canzinc Ltd., Re: Licence No. 1AR-NAN0914; Amendment-Renewal Application by Canzinc Ltd. for Continued Reclamation and Post-Closure Monitoring Activities, Nanisivik Mine Site, January 19, 2014.

<sup>2</sup> Aboriginal Affairs and Northern Development Canada (AANDC) – Water Resources Division, March 3, 2014; Fisheries and Oceans Canada (DFO), March 3, 2013; Department of National Defence (DND), March 3, 2014; Environment Canada (EC), March 3, 2013; and Nyrstar Canada (Holding) Ltd., March 3, 2014.

through the NWB's FTP site using the following link (**Username:** public, and **Password:** registry):

<ftp://nunavutwaterboard.org/1%20PRUC/1%20INDUSTRIAL/1A/1AR%20-%20Remediation/1AR-NAN0914/2%20ADMIN/3%20SUBMISSIONS/2014%20Renewal/>

### *Completeness of Application*

The NWB in its January 29, 2014 correspondence pertaining to the Application indicated that following the receipt of submissions on initial technical assessment and IRs, the Board would provide feedback on overall completeness of the Application. While the Board believes that most of the information required to consider the Application complete has been provided, the Board recommends that the Proponent address, at its earliest convenience, the comments and IRs provided by intervening parties during the preliminary review as well as the Nunavut Planning Commission's (NPC) and the Nunavut Impact Review Board's (NIRB) requirements. The Proponent, in addressing especially the comments and IRs provided by intervening parties, should ensure provision of all information required to undertake a complete and timely review of the application during the technical review stage. It should be noted, however, that at any stage in the licensing process, if it becomes necessary, the NWB retains the right to request additional information and studies pursuant to s. 48(2) of the Act or to issue guidelines for the provision of information pursuant to s. 48(3) of the Act.

#### *A. Comments/IRs Submissions*

In reviewing interveners' submissions, the NWB notes that several of the IRs identified by intervening parties, could have potential implications in terms of scope and completeness of the technical review for the Application. Therefore, in advance of commencing the detailed technical review for the Application, the NWB encourages the Proponent to address and/or provide its response to the issues identified in intervening parties' submissions by **April 15, 2014**. For the purpose of tracking the IRs and information provided to satisfy the IRs, the NWB has included a list of the IRs received from interveners' in Appendix A attached to this correspondence. The proponent should note however, that specific submissions should be consulted for complete details and context of the IRs.

#### *B. NPC and NIRB Requirements*

The Board would like to reiterate the lack of pre-licensing information with respect to the Application. In accordance with s. 11.5.10 of the Nunavut Land Claims Agreement (NLCA), the project proposal is required to be reviewed by the Nunavut Planning Commission (NPC) to determine whether it is in conformity with any approved land use plan. While a copy of a previous NPC Conformity Determination was included with the Application, the NWB will require further confirmation from the NPC on whether the original conformity decision applies

to the proposed amendment in scope of the Project in accordance with s. 13.4.2 through 13.4.5 of NLCA.

Further, the NWB requires confirmation of any screening, exemption, or review decisions issued by the NIRB for the proposed amendment to the project in accordance with 13.5.1 of the NLCA. It must be mentioned that, in accordance with 39 (1) of the Act, the NWB may not issue, renew, or amend a licence until the NIRB has completed the screening, reconsideration, or where a review is required, issued a new project certificate.

### *C. Next Steps*

Following receipt of the Proponent's response, the NWB will provide correspondence related to it and when the application will proceed to the next stages of the licensing process, including a detailed technical review, technical meeting/pre-hearing conference and public hearing.

In the interim, if you have any questions regarding procedural matters related to the file, please contact Phyllis Beaulieu, Manager of Licensing, by phone at (867) 360-6338 or by e-mail to [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca). For inquiries related to technical matters, please contact David Hohnstein, Director of Technical Services, by e-mail to [david.hohnstein@nwb-oen.ca](mailto:david.hohnstein@nwb-oen.ca) or Sean Joseph, Technical Advisor, by email to [s.joseph@nwb-oen.ca](mailto:s.joseph@nwb-oen.ca).

Yours truly,

*Original Signed by:*

Phyllis Beaulieu  
Manager of Licensing