

**Water Licence 1AR-NAN0914: Renewal/Amendment Application**

**CanZinco Responses to Draft List of Commitments Resulting from Technical Meeting/Pre-Hearing Conference Held on June 18, 2014**

No.	Raised by	TM/PHC Commitment	Party Responsible	Timeline for Submission	CanZinco Comments
1	AANDC, DND	If directed by the NWB, CanZinco Ltd. would provide for review and/or approval a copy of a new/updated, stand-alone, Abandonment and Reclamation Plan for the treatment of contaminated soil that takes into consideration comments provided by the respective intervening parties.	CanZinco Ltd.	Based on NWB's direction	The commitment is accepted in principle; however we ask that the wording: "that takes into consideration comments provided by the respective intervening parties" be replaced by: "that meets requirements on content and format specified by the NWB". Several of the comments regarding a new Abandonment and Reclamation Plan provided by the intervening parties were made in the context of, and were reflective of a desire for CanZinco to resolve, the land use conflict between the DND and DFO. Since the water licensing process is not an appropriate forum for resolving these conflicts, we do not agree with the commitment for CanZinco to respond to <b>all</b> comments made by the intervening parties. Instead, we ask that the NWB specifies the content required for the Abandonment and Reclamation Plan or, alternatively, identifies the specific comments from the intervening parties that we must address in the Plan.
2	AANDC	CanZinco Ltd. to Develop and submit to the NWB for review and/or approval a landfill monitoring plan and a conceptual closure plan that will include financial security requirements associated with the landfill in the context of overall financial security for the project.	CanZinco Ltd.	August 15, 2014	The commitment is accepted in principle; however we ask that the wording be revised as follows: "CanZinco Ltd. to develop and submit to the NWB for review and/or approval a Landfill Design, Operation and Conceptual Closure Plan. The Conceptual Closure Plan should include an estimate of closure costs. If the closure cost estimated in this Plan is materially different from the landfill closure cost included in the Reclamation Cost Estimate submitted to the NWB on April 12, 2014, then the Reclamation Cost Estimate should be updated with the new landfill cost estimate and resubmitted to the NWB."
3	AANDC	CanZinco Ltd. to confirm whether or not additional land use permits will be required for the area selected to construct a new Non-Hazardous Waste Landfill to treat bulky waste generated by the project.	CanZinco Ltd.	Prior to any public hearing	Commitment accepted as stated.

4	DFO/DND	Canzinc Ltd. to provide the NWB with additional information pertaining to the approach/methodology used for confirmatory soil sampling/analysis. In addition, Canzinc Ltd. to provide clarification with respect to the rationale for the proposed amendments to the type/frequency of parameters being analysed for in comparison to details contained in the 2010 Abandonment and Reclamation Plan.	CanZinc Ltd.	Prior to any public hearing	Commitment accepted as stated.
5	NWB	DFO and/or DND to provide the NWB with a copy of the Memorandum Of Agreement (MOA) once finalized and signed by the respective parties involved.	DFO/DND	Prior to any public hearing	The commitment is not accepted. The purpose of the MOA is to set out terms and conditions for CanZinc's temporary storage of petroleum hydrocarbon contaminated soil on the concrete pad at the former tank farm facility. The use of the pad allows for soil movements that will help to alleviate the land use conflict between the DFO and DND. Since the MOA does not have implications for the use of water or generation of waste and since resolution of land use conflicts is not within the scope of the water licensing process, we do not find it appropriate for the MOA to be included within the licence application documentation. It should also be noted that the term of the MOA is expected to end on July 31, 2015, meaning that most of the soil movements facilitated by the MOA will have been completed by the time a new water licence becomes available.
6	NWB	DFO and CanZinc Ltd. to provide the NWB with information related to active and/or expired land leases associated with Crown Lands, Territorial Lands and Commissioners Lands that falls within the project's extents.	DFO, CanZinc Ltd.	Prior to any public hearing	This information is already included in CanZinc's Application for Water License Amendment. Please refer to section 6 of the Application: "Nature of Interest in the Land". As stated in the Application and mentioned during the Technical Meeting, CanZinc is working actively with AANDC, the DFO and the GN Land Administration to surrender, update and/or renew our leases. If requested by the NWB, CanZinc can commit to providing an update on these efforts in advance of the public hearing.
7	DND/DFO	CanZinc Ltd. to provide to the NWB an updated project schedule/a detailed work plan if a new or updated, stand-alone, Abandonment and Reclamation Plan is required after any potential licence is issued to the project.	CanZinc Ltd.	Prior to any public hearing	Commitment accepted as stated.

8	AANDC, NWB	CanZinco Ltd. to provide an overview of the methodology/approach involved in developing its site specific, Soil Remediation Objectives for predetermined project areas.	CanZinco Ltd.	Prior to any public hearing	Commitment accepted as stated.
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**Notes**

AANDC      Aboriginal Affairs and Northern Development Canada  
DFO          Department of Fisheries and Ocean Canada  
DND          Department of National Defence

EC          Environment Canada  
NWB        Nunavut Water Board