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NUNAVUT WATER BOARD
FINAL CLOSURE AND RECLAMATION OF THE NANISIVIK MINE
JUNE 4, 2004 VOLUME 2
LOCATION: INUUJAG SCHOOL, ARCTIC BAY, NUNAVUT

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- 1 (Hearing commenced at 8:44 a.m., June 4, 2004)
- 2 CHAIRMAN: Good morning, ladies and
- 3 gentlemen. The Nunavut Water Board hearing will
- 4 now proceed. Welcome back.
- 5 Okay. Good morning. We are on to item
- 6 number 9. I do believe that Carl McLean and DIAND,
- 7 you had some questions or comments to be addressed

8 to the applicants? Thank you.
9 INAC QUESTIONS APPLICANT:
10 Q CARL McLEAN: Thank you, Mr. Chairman.
11 It is Carl McLean at Indian and Northern
12 Affairs Canada, Nunavut Region. We do have some
13 questions on the CanZinco presentation.
14 Regarding CanZinco's May 14th, 2004
15 submissions to the Water Board, we are looking for
16 confirmation that what was in that submission will
17 be completed as identified. Specifically number 1,
18 commitment to revisit the NRCAN analysis using
19 current volume written of professional opinion on
20 future risk associated with mine stability issues.
21 And number 2, can they provide copies of the
22 opinions from the mine inspector, Worker's
23 Compensation Board and the other opinions that have
24 been imposed?
25 There was some mention yesterday in their
26 submissions that some mine openings are closed and

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1 they do have the approval on them.
2 Will they also be providing the science for
3 closure of the ventilation? So I will just ask
4 those few questions right now.
5 A BOB CARREAU: To the three points, yes,
6 we are committed to the NRCAN analysis.
7 And I spoke to Mr. Murphy, we are going to
8 get our experts together later in the week,
9 following the hearing this week.
10 The approvals for the mining openings, when
11 Bill Heath was acting as general manager, we had a
12 letter that was sent to the Mines Inspection
13 Branch, to the chief inspectors saying these are --
14 these are our responses. We had an inspection that
15 said these are things that you have to do for these
16 closures, and we responded to that saying these are
17 our intentions. And there is no other
18 correspondence.
19 The way that the Workers' Compensation Board
20 works, they don't tell you you do something right,
21 they tell you you do something wrong. We haven't
22 heard anything saying the closure wasn't right.
23 We think we can provide this documentation.
24 To the last point, yes, ventilation will be
25 provided by the proposal on the closure of mine

26 openings. Ventilation is a high risk.

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1 Q Okay, thank you.

2 Next question is in regards to the landfill.

3 Can you confirm your commitment to include BTEX and
4 components in your monitoring for the landfills, in
5 addition to the existing hydrocarbon monitoring
6 program?

7 A Yes.

8 Q Can you confirm that your geotech analysis for the
9 west open pit and west open pit access road will be
10 undertaken in your May 14th letter to the Water
11 Board?

12 A Yes.

13 Q This is a question regarding concrete slabs by the
14 present mine site. Do you have a list or a number
15 of locations of the concrete slabs?

16 A Every concrete slab normally, I think that's one of
17 the smaller items that are -- we expect there will
18 be some small items that will continue to come up
19 as we proceed in the actual location of each
20 concrete slab. It has not been particularly
21 numerated yet. We have done the major ones. And
22 we did submit a plan suggesting how we would test
23 to make sure there is no contamination. But the
24 minor ones, there are some that exist that we need
25 to catalogue into our list. And this would be one
26 of the ongoing changes, I guess, to the plan or

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1 additions to the plan as we come across these
2 things.

3 Q Will all concrete slabs be inspected in the process
4 for the protocol, as for the larger slabs?

5 A Yes, some of the slabs we expect will be -- well,
6 there are -- there are some very tiny ones, like
7 the emergency generating station in town. These
8 ones will just come out. So if they are coming
9 out, they won't be treated the same, they will just
10 be removed.

11 But anything that we propose to leave in
12 place will be the same protocol as for the larger
13 slabs.

14 Q Thank you.

15 Next question to CanZinco is, What is the

16 scope for the runway and remediation, what's the
17 scope on top of the runway?

18 A Yes, we will be -- it is in the plan. It is our
19 intention to recontour the small shoulders there
20 and collectively the runway wiring. Basically
21 that's it.

22 There is some soil contamination that has
23 been identified in the ESA.

24 Q Thank you.

25 Just with regards to the schedule of
26 activities yesterday. We haven't really had a

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1 chance to look at it in detail, but INAC is also of
2 the opinion that quarterly reports that we will be
3 submitting should include the implementation
4 schedule that's amended, because of the
5 understanding, I'm sure, that there will be
6 amendments as it goes.

7 The next question, in your submission
8 yesterday, you spoke about the possibility of
9 instrumentation being damaged or displaced. If
10 monitoring instruments are damaged or displaced or
11 changes to the instrumentations are required,
12 yesterday you said that the engineer will advise
13 CanZinco on this. In our opinion, any changes or
14 removal or amending any instrumentation would
15 require the approval of the Nunavut Water Board.

16 A We have no reply.

17 Q Okay. The next question, it is regarding your
18 statement about the footings of the dock. You said
19 yesterday that CanZinco does not own the dock. Can
20 you give me or us your understanding of what you
21 consider to be the dock?

22 A Two things I would like to say is that we have a
23 meeting scheduled for Friday, one week from today,
24 with DFO to discuss the lease of the dock. They
25 are coming into the Breakwater office. The land
26 manager from the Burlington office, and I believe

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1 their legal counsel, is going to attend the
2 meeting, and we hope to get some clarification
3 there.

4 But the actual footings of the dock are not
5 ours, that's what we consider owned by others. The

6 associated infrastructure, the loading facility,
7 the concentrate storage shed, those are ours. And
8 as we have mentioned, transferred those to the Wolf
9 Den, and Wolf Den will be removing those. And we
10 will be remediating the area, and that is our
11 responsibility.

12 Q Thank you.

13 Does CanZinco own the tank farm and
14 infrastructure?

15 A Yes, to the best of my knowledge, we own the tank
16 farm.

17 Q Just one last question. In our April 26th
18 questions regarding the question about
19 contingencies in the event landfill is not
20 performing as is expected or as inspected,
21 yesterday you said that the contingency plan is
22 provided in the plan.

23 We have seen small aspects of contingencies,
24 but have you confirmed where in the plan the
25 contingencies for the landfills are required? This
26 was also brought up at our technical meeting.

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1 A On page 30, Section 3.8 refers to the contingency
2 plan. It is also linked. It says in there -- it
3 is described in the covers reports. I guess what
4 we believed to be a major possible problem is they
5 are linked to the stability. So the covers report
6 deals with contingency for cracking, for leaking,
7 for change of drainage from the median and
8 cracking. So all of those are dealt with in the
9 covers report.

10 The contingencies, basically, are the
11 increased frequency of monitoring. I guess there
12 is some, "a high degree of confidence", that we
13 expect this thing is going to perform as it has
14 been in the past. We wouldn't expect that when we
15 enhance the closure, that it is going to degrade.
16 And so far, inspections by DIAND and numbers that
17 we reported indicate that there are no contaminants
18 leaching from this point.

19 Q Thank you.

20 Mr. Chair, we have no further questions.

21 CHAIRMAN: Thank you, Mr. McLean.

22 Water Board staff, do you have some comments,
23 questions to the applicant?

24 WATER BOARD STAFF QUESTIONS APPLICANT:
25 Q MS. FILIATRAULT: Thank you, Mr. Chairman.
26 Dionne Filiatrault.

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1 You refer mostly to the May 14th submission
2 as follow-up to the technical meeting. And in
3 Section 3, you refer to building materials and
4 pieces of the ESA. I'm wondering, you make
5 reference that results are going to be made
6 available. When should the Water Board expect
7 those results to be submitted? How long is the
8 analysis going to take so that we can reach a
9 schedule?

10 A BOB CARREAU: Some of the samples will be
11 collected today or tomorrow while Eric is on-site.

12 Gartner Lee did our ESA assessment, and he
13 has considered this a part of that project.

14 So four weeks, six weeks at the outset. But
15 our position is that this shouldn't hold up the
16 approval; it could receive conditional approval.

17 And as we stated at the March -- at our
18 technical meeting, the possibility that PCBs were
19 used in these, we feel, are very, very low.

20 Q With regards to Section 4, when you discuss the
21 analysis, BTEK analysis at the landfill site, does
22 CanZinco still plan to do a full metal sweep as
23 well? What locations are proposed for the
24 monitoring, and what's the frequency those are
25 being proposed? And what is being proposed
26 post-reclamation period?

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1 A Page 14 of the reclamation and closure monitoring
2 plan shows a station in NML-26. NML-26 is the
3 seepage directly at the toe of the landfill, and
4 this will get BTEX analysis added too, in addition
5 to total metals and suspended solids and the rest
6 of the parameters that are listed there. And it
7 would be the same frequency as is listed in here,
8 but we are going to add BTEX.

9 Q Thank you, Mr. Chairman. It is Dionne Filiatrault.

10 With respect to the soil sample for at the
11 ANFO plant, is there a need for any BTEX analysis
12 to be done in this area of the ANFO plant?

13 A The only storage there was fuel oil. There was no

14 gasoline storage or anything else there, so it will
15 just be fuel oil, and for ammonium nitrate and the
16 hydrocarbon contamination that is already planned.
17 Q In that same letter, item 12, with respect to the
18 planned submission of the abandonment restoration
19 plan, you indicated that any planned submission
20 will be submitted as of November. And this is sort
21 of not the impression that I was left with at the
22 end of the technical meeting where it was an
23 indication that a full A&R plan will be submitted.
24 Maybe I'm wrong, and that's fine, but I just wanted
25 to know whether that -- it is a question to you,
26 but also to the other parties, because is this

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1 acceptable? Is this what we are expecting to get
2 from this as far as information requirements to the
3 A&R plan?

4 A Well, you have seen before the documents that make
5 up the A&R plan. It is not a question of rebinding
6 this and reissuing this, it is -- there is a fair
7 amount of information that would have to be
8 reissued. We think that it would be best to issue
9 one appendix, and that would contain all the errata
10 and anything else, any supplements.

11 If there are any individual documents upon
12 receiving approval that were substantially changed,
13 which we are not expecting, then we would change
14 that component, to reissue that component.

15 But our plan is to just issue something that
16 will stand alone and be a public registry. That
17 would have to be consulted as an appendix to this.

18 Q Thank you, Mr. Chair. I have no further questions.

19 CHAIRMAN: Thank you, Dionne.
20 Patrick?

21 Q PATRICK DUXBURY: Hi. Patrick Duxbury.

22 Just one quick question with regards to a
23 comment that was made yesterday by Tommy
24 Tatatuapik. He made a number of comments. And one
25 of them I just wanted to clarify that CanZinco's
26 trouble in responding to it is regarding sampling

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1 across the Strathcona Sound, I guess, of the
2 contamination or impacts that come from and
3 directly over to the Strathcona Sound. I would

4 just like to get a response or clarification or
5 some indication that CanZinco does think it is
6 something they wish to respond to at this time.
7 BOB CARREAU: The ESA process, as we
8 spoke about during the presentation, is a standard
9 methodology, and part of that is doing some
10 literature research of what's gone on at the site,
11 and then a scientific approach to where the impacts
12 are. And the impacts are delineated to the area
13 that I put up there on my second slide yesterday.
14 So it is not our intention. We feel that there are
15 no off-site impacts, that the impacts had been
16 identified and sampled and quantified, and
17 remediation measures have been identified.
18 PATRICK DUXBURY: Thank you. I have no
19 further questions at this time.
20 CHAIRMAN: Thank you. Water Board
21 members have any questions or comments?
22 WATER BOARD MEMBER QUESTIONS APPLICANT:
23 CHARLIE INUARAQ: Yesterday, just to
24 clarify, I heard -- I thought I heard you say
25 hamlet and HTO will be kept informed, so is that
26 how you will do it?

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1 BOB CARREAU: Yes, we will be keeping the
2 hamlet office informed, and we will expect that
3 they will be sharing that information with the
4 Hunters and Trappers and any other interested
5 parties via a quarterly report and the annual
6 report.
7 CHAIRMAN: Thank you.
8 Are there any further questions or comments
9 to be addressed to the applicant with respect to
10 their presentation yesterday?
11 Okay. Next item. Item number 10,
12 presentation by the interveners, and we start with
13 the mayor, Arctic Bay Hamlet. Thank you.
14 BILL TILLEMAN: Please state your name for
15 the record and spell your last name.
16 NIORE IQALUKJUAK: Niore Iqalukjuak,
17 I-Q-A-L-U-K-J-U-A-K.
18 (NIORE IQALUKJUAK SWORN)
19 PRESENTATION BY THE HAMLET OF ARCTIC BAY:
20 NIORE IQALUKJUAK: I will be reading a letter
21 from the MLA. And before I start, the MLA

22 assistant is here.
23 My best wishes for protecting the community.
24 "As the Member of the Legislative Assembly
25 of Quttiktuq, I am pleased to extend to the
26 community and residents of Arctic Bay my

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1 best wishes for a productive meeting.

2 As the Legislative Assembly is
3 presently in Session, I am unable to be
4 with you this evening for this important
5 event.

6 I know that Arctic Bay is frustrated
7 with the lack of success in addressing the
8 needs of the community. Over the past
9 couple of years, we have heard many
10 announcements from the Government with
11 respect to such issues as how the community
12 can take advantage of the existing
13 infrastructure in Nanisivik. We have been
14 disappointed that there has been little
15 forward movement on identifying alternate
16 uses for the site.

17 As the MLA for Quttiktuq, I am
18 committed to being the community's voice on
19 this issue. I will continue to speak out
20 on the need for the Government to work with
21 the community and find opportunities for
22 training and employment. Although we know
23 that the Government does not have unlimited
24 funds, we are entitled to be treated
25 fairly.

26 I have asked Mayor Iqalukjuak to

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1 provide me with an update on the success of
2 this meeting. As tomorrow is the last
3 sitting day of the Legislative Assembly's
4 present Session, it is my intention to make
5 a statement in the House on the issues
6 surrounding the mine closure. I will make
7 it clear to the Government of Nunavut what
8 the concerns of the community are and what
9 action we want to see accomplished.

10 Thank you."

11 Letter I wrote or submitted May 18th.

12 "First off, I wish to apologize for not
13 being able to attend the technical and
14 pre-hearing meetings that were held in
15 Yellowknife from May 4-6, 2004. I would,
16 however, like to acknowledge the efforts to
17 promote public awareness on the Nanisivik
18 mine reclamation made by Pat Duxbury, whom
19 is the Mine Reclamation Coordinator for the
20 Nunavut Water Board. His efforts to make
21 the public aware of the submission made by
22 CanZinco on the final Nanisivik reclamation
23 by meeting with myself, students enrolled
24 at the Arctic College pre-trades program,
25 Ikajutiit Hunters and Trappers
26 Organization, and also by holding a public

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1 meeting are greatly appreciated.

2 Although I understand that the
3 information that I am submitting is
4 addressed to the Nunavut Water Board, I
5 also understand that there are departments
6 from other concerned parties within this
7 hearing. Therefore, I will address each
8 item as addressed by my council and by the
9 hamlet working group, as well as by the
10 general public.

11 The concerns that were discussed and
12 addressed at the public meeting held on May
13 11th, 2004 and by the hamlet council and
14 the hamlet working group held on May 17th,
15 2004 is as follows: Monitoring of the mine
16 site to the year 2010 is considered too
17 short compared to the DEW Line sites that
18 are monitored for a period of 25 years. We
19 ask for the same number of years, 25 years,
20 in monitoring after the completion of the
21 cleanup of the site.

22 In regards to the concrete foundation
23 for the buildings, including the mill -
24 from the previous meetings, there were
25 indications that the concrete foundations
26 would be torn up and buried and the ground

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1 returned to its natural state. However, it

2 is now stated that after assessments and
3 that there are no contaminations underneath
4 the concrete foundations, the foundations
5 will be covered with shale and gravel. We
6 ask that the concrete be torn up and buried
7 underground, as previously stated, and then
8 the ground covered with shale and gravel
9 and returned to its natural state, as
10 previously stated.

11 Buildings - there has been several
12 alternate-use studies in regards to
13 Nanisivik since the announcement that the
14 mine will be closing. I will be addressing
15 this subject in several paragraphs:

16 The part of the feasibility studies
17 included moving 15 housing units in
18 Nanisivik owned by the Government of
19 Nunavut to Arctic Bay. These studies
20 indicated that it would be too cost
21 effective to move the units, and it is
22 stated that none of the units would be
23 moved to Arctic Bay, with the addition that
24 the units were too contaminated. It was
25 also then indicated verbally to me that due
26 to the costs, the only way the GN would be

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1 able to replace the units would be by the
2 number of families that moved to Arctic Bay
3 that were not able to attain housing.

4 To my knowledge, there have been a
5 total of six families that have moved prior
6 to and after the closure of the mine. And
7 that includes two government employees that
8 were laid off prior to the announcement of
9 the closure of the mine, and these families
10 would have to be in a state that housing
11 would not be able to be allocated to them.

12 Three of these families were already
13 allocated a unit by the local housing
14 association. None of the said units have
15 been replaced, other than the already
16 allocated units for Arctic Bay by the
17 Government of Nunavut. Therefore, we ask
18 that the GN allocate six units to Arctic
19 Bay as per their indications.

20 Furthermore, due to the lack of
21 cooperation from the mine to do rental
22 deductions on their payroll from their
23 employers, the local housing association
24 has uncollected arrears from tenants that
25 are previous mine employees in excess of
26 \$197,417.32, that are a certainty of ever

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1 being collected by the local housing
2 association from their tenants or former
3 tenants, which makes it a possibility of
4 eight tenants being evicted from the public
5 housing units. In the event that these
6 tenants are evicted, what other housing has
7 been planned for these families by the
8 Government of Nunavut?

9 In addition to the decision not to
10 move the remaining units from Nanisivik to
11 Arctic Bay due to contamination, there were
12 a total of ten housing units that were
13 moved to Arctic Bay from Nanisivik in 1996.
14 The concern is, what state of contamination
15 has this transfer of ten housing units
16 caused to the citizens of Arctic Bay?
17 Furthermore, what assurance can our
18 citizens be given that these units are safe
19 to live in?

20 As part of the feasibility studies,
21 there was two alternate uses for Nanisivik:
22 One being turning Nanisivik into an army
23 practice centre, and then the other turning
24 Nanisivik into a training centre for the
25 whole of Nunavut. The people of Arctic Bay
26 had asked that Nanisivik become a training

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1 centre for the whole of Nunavut. That
2 seemed a certainty until recently where it
3 was indicated that the training centre
4 would then be located in Rankin Inlet.

5 With that being said, CanZinco has
6 indicated that they will burn the units in
7 Nanisivik and remove the ashes to the
8 underground. Therefore, the residents of
9 Arctic Bay have indicated an interest that

10 they would like the possibility of
11 salvaging the units and turning them into
12 their own units or salvaging some of the
13 material to make shacks or shelters out on
14 the land. We ask that the buildings be
15 made available to the residents of Arctic
16 Bay or Pond Inlet to the time that the mine
17 has to cap the underground entrances at the
18 completion of the reclamation period.

19 There are several units that can be
20 divided into two or three sections, and
21 also have the capabilities of being towed
22 to our community. There are also units
23 owned by the government that are trailers.
24 We ask that these units be made available
25 to our residents.

26 I indicate this, as all the residents

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1 feel that just burning the units without
2 offering them to the residents beforehand
3 would just be inexcusable. The waiting
4 list for the housing association is long,
5 and just burning the units in Nanisivik is
6 just too unbearable to the residents of
7 Arctic Bay.

8 Samples of said shale and gravel -
9 residents had asked that a sample of the
10 shale and top gravel be brought into the
11 hearing to be viewed by the public to give
12 them a general idea as to what will be used
13 to cover the dumpsite and the Twin Lakes
14 site. This will enable the public to
15 review beforehand as to what material is to
16 be used before the reclamation begins.

17 Monitoring of the site - with the
18 monitoring of the site, it was asked that
19 one of the locals be hired as a site
20 monitor. The local youth committee also
21 ask that a youth be hired as an assistant
22 to the mine monitor as a part of the on the
23 site training program. A part of the
24 duties of the said monitor would be to
25 report to the general population as to what
26 is being done at Nanisivik during the

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1 reclamation of the mine site and during the
2 monitoring period.

3 Transferring of the tailings from the
4 tailings pond to the underground - during
5 the mining of the ore, the tailings were
6 transferred uphill to the Twin Lakes.
7 Residents had asked that if any studies
8 were done as to what the cost would be to
9 transfer the tailings from the tailings
10 pond to the underground, as the tailings
11 would then travel in a downward slop from
12 the tailings pond. It is asked if this
13 would be more feasible to transfer the
14 tailings from the pond to the underground
15 then just burying the tailings pond.

16 Water sample at that time Twin Lakes -
17 residents felt concerned as to the water
18 samples at the Twin Lakes. The question
19 was, has it been considered that the water
20 located at the Twin Lakes been considered
21 of ever being transferred underground? And
22 has the Water Board ever done any water
23 samples directly from the tailings pond to
24 see if it is contaminated? If it were
25 contaminated, would there be a way to treat
26 it to a level that it would be safe for the

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1 general public or the surrounding wildlife?
2 The main concern too was, who can the
3 general public contact that has stronger
4 powers than the Nunavut Water Board if
5 there is such contamination with the water
6 at Twin Lakes?

7 PCB contaminants - throughout the
8 lifespan of the mine, it is known that PCB
9 contaminants were stored in the grounds of
10 Nanisivik. We ask that these contaminants
11 be removed from the grounds and properly
12 disposed of. If these contaminants are not
13 removed, we ask that proper signage be
14 erected to warn the public of the dangers
15 that exist within the grounds in all
16 languages that will be understood by the
17 people that may walk the grounds.

18 Residents also asked that there be
19 periodic tours be given to ordinary
20 citizens as to what reclamations are being
21 down or a tour of the site during the
22 reclamation of the mine.

23 Major concern of the council was also,
24 if there is a contingency plan in the event
25 that there are failures during or after the
26 reclamation of the mine site. Who will be

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1 responsible to repair any inefficiencies at
2 the time the monitoring of the site has
3 been exhausted?

4 There was also a concern that there
5 may have been differences in the severance
6 packages between Inuit and non-Inuit at the
7 closure of the mine. If this were the
8 case, we ask that an explanation be given
9 as to why that may have been the case.

10 Infrastructure-wise - most of the
11 infrastructure that was built during the
12 life of the mine was built mostly in
13 Nanisivik. The government owns a
14 multi-complex building that housed a
15 recreation complex with a swimming pool,
16 weight room, lounge and gymnasium, a
17 nursing station, an elementary school
18 office space for government workers and
19 RCMP members

20 The council and the people of Arctic
21 Bay have asked for a community hall for
22 several years, only to be denied one year
23 after year. More than half of the
24 population of Arctic Bay is currently under
25 the age of 25 and lacks any recreational
26 facilities. Burning or tearing down of the

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1 multi-complex that houses the usable
2 recreational facilities is, in the eyes of
3 many, another insult to injury. We ask
4 that a recreational facility or a community
5 hall be allocated to Arctic Bay in the very
6 near future.

7 Aside from the multi-complex building,

8 there is a gravel airstrip shared between
9 our community and Nanisivik that has the
10 capability of handling 727-100 series jet
11 airlines. There is also a road that leads
12 from our community to the airport, the
13 Nanisivik townsite and the deep-sea port.

14 Since the mine will no longer exist,
15 the duties of supplying emergency equipment
16 will probably be handed over to the
17 municipality of Arctic Bay. With the
18 airport being 28 kilometres from Arctic
19 Bay, our major concern is that our fire
20 department would be too late in responding
21 to any incident that may occur, as the
22 response time will undoubtedly be up to at
23 least an hour. Furthermore, with the pumps
24 being at the front of the fire truck and
25 with the majority of the year being cold,
26 the pump would surely be frozen which would

0175

1 add more time to our fire department to
2 respond.

3 Feasibility studies - there has been
4 several feasibility studies done since the
5 announcement that the mine would be
6 closing. Working groups have also been set
7 up to determine what types of training or
8 economic benefits can be gained by the
9 residents of Arctic Bay. Although the
10 intentions are greatly appreciated, we have
11 yet to see any of the benefit for our
12 community.

13 There have also been questions about
14 small appliances and furniture, as to when
15 they would be made available to the
16 residents of Arctic Bay.

17 It is also felt that most of the
18 surrounding area may be contaminated by
19 tailings that has been blown by the wind.
20 It is asked that tests be done around the
21 vicinity of Arctic Bay with the findings
22 reported to the residents of Arctic Bay.

23 The Water Board and the mine officials
24 approached some of the first inhabitants of
25 Nanisivik at the time the mine was starting

26 productions. Pictures of the surrounding

0176

1 lake bottoms were shown to have growing
2 vegetation to indicate that the water was
3 safe. Hair samples from the individuals
4 were taken, but to date, these individuals
5 have yet to hear the results done by the
6 Water Board from the time that these tests
7 were done, and we would like to find out
8 what the findings were.

9 Under the Strathcona agreement, 60
10 percent of the regular positions of the
11 work force were to have been filled by
12 northern residents within three years,
13 which was never enforced. Council is
14 disappointed that this was never enforced,
15 indications that it was hard to hold
16 employees is inexcusable. Counsel ask that
17 once the reclamation begins, the work force
18 for the reclamation be 60 percent northern
19 residents.

20 It is also asked that tests be done on
21 land locked char on the other side of
22 Nanisivik for any contaminants. If there
23 are any contaminants, it is asked that the
24 public be made aware of which fish and what
25 lakes are contaminated.

26 The shale cover of 1 metre with a

0177

1 cover of .25 metre of gravel at the Twin
2 Lakes is considered too small. It is
3 feared that this cover will be blown
4 through time, thus exposing the tailings.
5 It is asked that the shale cover be
6 increased to 2 metres with a cover of a
7 half metre of gravel.

8 These items that we submit to this
9 hearing are items that have been compiled
10 from public meetings, hamlet council
11 meetings and hamlet working group
12 meetings."

13 Thank you.

14 CHAIRMAN: Thank you.

15 Would those be considered to be Exhibit

16 number 2 and 3? And 4. 2, 3 and 4.
17 BILL TILLEMAN: Thank you, Mr. Chairman.
18 What I would suggest, sir, is that number 3
19 would be filed as the MLA statement to the Board.
20 And so, if that's okay with everyone, we will mark
21 that as number 3. And then the rest of it, we have
22 in the submission already.
23 EXHIBIT NO. 3:
24 MLA STATEMENT TO THE NUNAVUT WATER BOARD
25 CHAIRMAN: Okay. Thank you. Does the
26 applicant have questions or comments?

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1 BILL HEATH: We are fine, Mr. Chairman.
2 We are fine.
3 CHAIRMAN: Thank you.
4 Now, we have a request by the interpreter to
5 take a break. We will take ten minutes.
6 (RECESSED AT 9:33 A.M.)
7 (RECONVENED AT 9:51 A.M.)
8 CHAIRMAN: Okay. Welcome back.
9 In case you haven't registered, please
10 register with Susie there.
11 Okay. Before we proceed, does anybody have
12 any questions or comments to be addressed to the
13 mayor of Arctic Bay? Okay.
14 The next intervener is NTI. George?
15 PRESENTATION BY NTI:
16 GEORGE HAKONGAK: Thank you, Mr. Chairman.
17 Chairman, Board members, members of the
18 community. My name is George Hakongak. I am the
19 senior advisor of water and marine management for
20 Department of Lands and Resources for Nunavut
21 Tunngavik Incorporated.
22 CHAIRMAN: Okay. Just one moment. We
23 will have to swear you in. Okay.
24 BILL TILLEMAN: Mr. Chairman, thank you.
25 We are just -- one of our Board members isn't
26 here. Normally we would just stop if one of the

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1 members can't be here, but if it's okay with the
2 parties, we suggest just moving ahead. And we will
3 promise and come back and have him confirm, through
4 you, that he will read this portion of the media so
5 he is up to date. If that is all right with you,

6 sir, and we ask the parties, and if there is any
7 objections, we do have to stop.
8 CHAIRMAN: Any objection? No? All
9 right.
10 BILL TILLEMAN: Please state your name for
11 the record and spell your last name.
12 A George Hakongak, H-A-K-O-N-G-A-K.
13 (GEORGE HAKONGAK SWORN)
14 GEORGE HAKONGAK: Thank you. Thank you, Mr.
15 Chairman.
16 My name is George Hakongak. I'm the senior
17 advisor, environment, water and marine management
18 for the Department of Lands and Resources of
19 Nunavut Tunngavik in Cambridge Bay.
20 To begin, Nunavut Tunngavik Incorporated
21 would like to thank the Nunavut Water Board for the
22 opportunity to participate in the hearing for
23 CanZinco's reclamation project plan for the
24 Nanisivik mine site and for Nunavut Tunngavik to
25 present.
26 I should also clarify that before we begin,

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1 in our written submission, we have Breakwater
2 listed as the proponent. And after speaking with
3 INAC and Bill Heath, it should be saying CanZinco,
4 rather than Breakwater.
5 Nunavut Tunngavik Incorporated has
6 recommended and reviewed the Nanisivik mine's 2004
7 reclamation and closure plan. The comments
8 provided this afternoon were written from Nanisivik
9 mine's reclamation and project application by
10 CanZinco. The review carried out is focussed on
11 gathering the information submitted by CanZinco to
12 determine the location and the effectiveness of the
13 proposed measures to ensure responsible
14 environmental stewardship.
15 In reviewing the submissions by the Arctic
16 Bay hamlet and the series of interveners have
17 recommended terms and conditions for the NWB by the
18 NWB and reclamation project plan.
19 As stated in our original submission for the
20 July 2002 public hearings, the main issue from the
21 NTI point of view is: To effectively ensure
22 reclamation of the entire mine site and address the
23 various interests. To have an alternate use of

24 mine facilities will require a comprehensive plan
25 for the reclamation, this will involve the
26 proponent, the Government of Nunavut, Department of

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1 Fisheries and Oceans and the community of Arctic
2 Bay in coordinating their efforts. Only in this
3 way will the reclamation of the Nanisivik mine site
4 be possible, yielding the maximum benefit for the
5 community and the people of Nunavut.

6 NTI understands that the site implicates
7 multiple jurisdictions and responsibilities, and as
8 such, the current plan only addresses those parts
9 of the site that fall under the responsibility of
10 CanZinco. However, we believe it is important to
11 reiterate the point that effective reclamation of
12 this site will require a comprehensive plan,
13 integrating the different jurisdictions and sites,
14 including the mine, mill, tailings, landfills, the
15 townsite and the road network and the dock facility
16 and associated infrastructure.

17 We request that all parties come together to
18 develop an overall plan for the decommissioning of
19 this site in an appropriate manner to ensure the
20 safety of the site for future uses.

21 Having stated this as a starting point, we
22 turn our attention to the specifics of the plan
23 dealing with the responsibilities of the proponent,
24 CanZinco.

25 A review of the documentation provided in
26 the various reports and supporting documents that

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1 makes up the "Nanisivik Mine 2004 Reclamation and
2 Closure Plan" was carried out by NTI with the
3 technical assistance of AMEC Earth & Environment, a
4 division of AMEC Americas Limited. This review
5 focussed on the ability of the measures proposed in
6 the plan to achieve the objectives of long-term
7 safety and stability of the mine site. The review
8 addresses various aspects of the reclamation
9 closure plan in complying with best practices for
10 Arctic environments in the context of multiple-land
11 use for the future.

12 In this review, NTI has identified the
13 following issues that require clarification and

14 elaboration to ensure that the objections stated
15 above are met: Monitoring issues:
16 1. Frequency of monitoring issues during
17 five-year post-reclamation period appears
18 low.
19 2. Duration of monitoring is short.
20 Many processes active on the site would not
21 appear within this time frame.
22 3. A much longer closure monitoring
23 period is strongly recommended to
24 adequately assess the impacts of the
25 reclamation and closure activities.
26 The frequency of monitoring appears to be

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1 appropriate for the two-year reclamation period.
2 During the five-year closure period, the
3 monitoring frequency is reduced to once or twice
4 during the summer season for all forms of
5 monitoring, which is considered to be very
6 infrequent. Assessment of the practicality of more
7 frequent readings from instruments during the
8 five-year period is recommended, especially during
9 the warmer periods of the year.
10 Doing more appropriate and frequent readings
11 would give the proponent a better understanding of
12 what is happening during the reclamation period.
13 This would allow the proponent time to react in an
14 appropriate fashion.
15 NTI believes that every effort should be made
16 to provide employment and training to Arctic Bay
17 residents to participate fully in the reclamation
18 and monitoring process.
19 A significant concern resulting from the
20 reclamation closure plan is the very short duration
21 of monitoring before the comprehensive review
22 planned for the year 2010. Many of the processes
23 active on the site that could lead to adverse
24 environmental impacts would take decades to
25 manifest. Some of the processes are: Freeze-back
26 of the taliks in tailings, acid rock drainage and

0184

1 degradation of the shale material in the
2 reclamation covers.
3 The intent of the 2010 review is to provide

4 predictions of the ultimate success of the
5 reclamation and closure works, based on the five
6 years of monitoring records currently planned to be
7 at infrequent intervals.

8 It is strongly considered that it will be
9 impossible to predict the ultimate fate of the
10 reclamation measures at the mine site in 2010,
11 given the complex interrelated processes taking
12 place, particularly within the tailings facility.

13 A much longer closure monitoring period is
14 strongly recommended to adequately assess the
15 impacts of the reclamation and closure activities.
16 The concern for NTI is that the long-term liability
17 for the site could be prematurely released from the
18 mining company based on predictions that eventually
19 turn out to be inaccurate. For example, in the DND
20 Environmental Agreement for the DEW Line sites
21 commits to a three-phase monitoring program. And
22 these are just -- this is just an example that we
23 have written down: Phase 1, 5 years plus, confirm
24 equilibrium achievable. Phase 2, 5 to 25 years,
25 verification of equilibrium achieved. And Phase 3,
26 at 25 years, verification of the effectiveness of

0185

1 remediation. NTI is suggesting that a similar
2 approach be applied to monitoring of the Nanisivik
3 mine site.

4 In general, the contingency plans for
5 potential failure modes range from increased
6 monitoring through increasing levels of
7 intervention, which is an appropriate approach to
8 contingency measures.

9 The ultimate contingency for water quality is
10 to treat any water that is not acceptable for
11 release. This and many other contingency measures
12 are really maintenance solutions, not permanent
13 fixes and bear a considerable commitment of time
14 and expense, possibly for the foreseeable future.

15 With the assistance of the residents of
16 Arctic Bay, interveners such as DFO, GN, INAC, the
17 reclamation and monitoring program objective can be
18 reached at a mutual understanding where all parties
19 are satisfied with the process.

20 In closing, NTI is in support of the proposed
21 reclamation project plan. NTI is encouraged by the
22 progress made in the development of the reclamation

23 and closure plan and requests that the Nunavut
24 Water Board incorporate the NTI's issues, as well
25 as monitoring directions and directives by other
26 regulators into the terms and conditions for

0186

1 acceptance of the reclamation process.

2 In addition, NTI encourages the performance
3 operatives and undertake a stewardship role within
4 the letter and spirit of the NLCA.

5 Once again, thank you for providing NTI with
6 an opportunity to participate in the review of the
7 CanZinco reclamation process plan. We look forward
8 to hearing of the Nunavut Water Board's decision on
9 this matter and proceeding.

10 Quana.

11 CHAIRMAN: Thank you, George.

12 Any questions or comments from the
13 applicants?

14 BOB CARREAU: We would just like to thank
15 NTI for their comments, and no response at this
16 point.

17 What we would like to point out is that we
18 received the May 28th letter on May 28th and
19 responded in our presentation here, so that
20 information and our position on that has been
21 presented to the Nunavut Water Board in regards to
22 that.

23 CHAIRMAN: Thank you. Any questions
24 or comments from the other interveners? Thank you.

25 Any questions or comments from the general
26 public? No.

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1 Any questions or comments from the Water
2 Board staff?

3 WATER BOARD STAFF QUESTIONS NTI:

4 Q DIONNE FILIATRAULT: Thank you, Mr. Chairman.
5 Dionne Filiatrault.

6 I just want to confirm what NTI's position
7 is with respect to GN's submission that we are
8 going to be hearing later as regarding the material
9 and all the infrastructure. And based on your
10 submission, it is that NTI is requesting that a
11 comprehensive plan for reclamation for that
12 infrastructure be done. I just want to get a

13 confirmation of their position on whether or not
14 that plan is still needed at this point.
15 A GEORGE HAKONGAK: Thanks, Dionne.
16 I'm not sure I can answer that question right
17 at the moment. But I think with the
18 infrastructure, we have been hearing a lot about
19 that. But if that infrastructure can be utilized
20 in the benefit of the residents of Arctic Bay, that
21 would be something that we would have to --
22 something that we would have to confirm with our
23 director.
24 Q In the submission, you also suggest that the -- you
25 need more frequent readings from instruments during
26 the five-year period is recommended. For the Water

0188

1 Board to be able to consider this request, we need
2 more information on what areas you are talking
3 about and what frequency you are proposing. We
4 need more details on exactly what specific details
5 you are requesting.
6 A Thank you, Dionne. We would have to -- we would
7 have to consult with the director on that.
8 MS. FILIATRAULT: Thank you, Mr. Chairman.
9 No further questions.
10 CHAIRMAN: Okay. Thank you.
11 PATRICK DUXBURY: I have no comment, Mr.
12 Chairman.
13 CHAIRMAN: Thank you. Thank you,
14 George.
15 LEAH LEVI: Regarding the equipment at
16 Nanisivik, I have a comment on the equipment.
17 Nanisivik's, yeah, furniture or house -- household
18 items were welcome to the community. And they were
19 in demand since some people have no means of
20 getting furniture, that the -- seniors, when they
21 get their pension, it is not enough to purchase
22 furniture.
23 Also, the tools from the mill, I don't want
24 them to be thrown away, I would want -- I just want
25 one big tool and big files that you have there, so
26 I would like one of the big files.

0189

1 All the tools, I don't want them to be
2 buried. You know, the young people here, they are

3 lacking the equipment or tools to make something.
4 And if they have the tools to do activities...
5 And we hear people on the radio saying they
6 are looking for this kind of tool, and some people
7 want certain items, so the -- especially the tools
8 from the shop should be given to Arctic Bay. Just
9 that I just don't want them to be thrown away.
10 That if they are -- if Nanisivik provides the
11 tools, then people can go up there and take tools
12 they need.
13 QUAMYUQ OYUKULUK: We are alternating
14 speakers. And after NTI -- like, I think we have
15 to be better organized in terms of who the speakers
16 are so that allows each intervener to speak before
17 general public is allowed to speak.
18 CHAIRMAN: Okay. Next intervener is
19 GN, Susan Hardy.
20 I just want to confirm with everybody here,
21 Jeff is back here.
22 And if we can have legal counsel swear in the
23 other legal counsel there.
24 PRESENTATION BY THE GOVERNMENT OF NUNAVUT:
25 BILL TILLEMAN: Please state your name for
26 the record and spell your last name.

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1 EARL BADDALOO: Name is Earl Baddaloo.
2 Last name is B-A-D-D-A-L-O-O.
3 (EARL BADDALOO SWORN)
4 BILL TILLEMAN: Thank you. Please state
5 your name for the record and spell your last name.
6 RHODA KATSAK: Rhoda Katsak, K-A-T-S-A-K.
7 (RHODA KATSAK SWORN)
8 BILL TILLEMAN: Thank you. Please state
9 your name for the record and spell your last name.
10 SUSAN HARDY: Susan Hardy, H-A-R-D-Y.
11 (SUSAN HARDY SWORN)
12 BILL TILLEMAN: Please state your name for
13 the record and spell your last name.
14 BRUCE TROTTER: Bruce Trotter,
15 T-R-O-T-T-E-R.
16 (BRUCE TROTTER SWORN)
17 BILL TILLEMAN: Thank you, Mr. Chairman.
18 Please state your name for the record and
19 spell your last name.
20 BRENT MURPHY: Brent Murphy, M-U-R-P-H-Y.

21 (BRENT MURPHY SWORN)
22 BILL TILLEMAN: Thank you, Mr. Chairman.
23 SUSAN HARDY: Thank you, Mr. Chairman,
24 Elders, people from Arctic Bay, managers at
25 CanZinco, our federal colleagues and experts.
26 You have been introduced before to myself,

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1 I'm Susan Hardy. I'm a lawyer for the Government
2 of Nunavut. And I also happen to be the person on
3 our team this week whose memory goes back to the
4 beginning of GN's involvement with this file across
5 a wide range of issues, this is why I am being
6 sworn with the rest of my team today.
7 The presentation will be given mostly by
8 myself and also Rhoda Katsak, who is agent here
9 with GN but not a lawyer.
10 Rhoda works with the regional office in Pond
11 Inlet for Community Economic Development.
12 The review of the closure and reclamation
13 plan has taken a very long time. And GN has a
14 complicated mandate, as you know, to perform during
15 this review process.
16 Looking back to 2001, 2002, we advocated as
17 the Government of Nunavut to conduct one
18 comprehensive review process, that included Water
19 Board issues and NIRB issues in 2002. And for us,
20 it means that we are also not conducting an
21 additional review process for abandonment and
22 reclamation of leases. We are having our concerns
23 brought forward in your process and resolving them
24 here, and that has made us a very strong voice in
25 the technical hearing process, with concerns to be
26 resolved in that process across a wide range of

0192

1 issues.
2 I can only imagine now -- I think that was a
3 good decision, that comprehensive review. I can
4 only imagine how much more complicated it would
5 have been to resolve the technical concerns that
6 are raised by the closure of Nanisivik.
7 In all the areas the GN is touching, if there
8 were review proceedings happening under many roofs,
9 this would have been very difficult. So we are
10 glad that that consideration was given.

11 Also looking back to 2001, 2002, especially
12 to the interim reclamation plan that was filed in
13 2002, we want to acknowledge that the plan that we
14 are looking at today is -- represents a great deal
15 of work and expense for the mine and is much
16 improved, from the GN's prospective.

17 We do have some small issues that are being
18 confirmed as recently as last week and the 14th of
19 May, but we are generally satisfied that if and
20 when the -- generally as it has been described
21 here, the result will be a reclamation by
22 Breakwater which brings the area to an acceptable
23 area of environmental quality in the areas that we
24 are concerned about generally, and also
25 specifically, for the water quality.

26 Because our mandate is complicated, we have

0193

1 tried to focus our presentation here on water
2 quality issues, and that is our central and key
3 focus in talking to you today. There are some
4 other things going on, though, that affect the mine
5 closure, and they are in our presentation, as well,
6 in a second area.

7 RHODA KATSAK: People of the GN, other
8 parties. The role of GN is different compared to
9 NTI or other parties, for instance the Water Board
10 and/or -- sorry, DFO and DIAND, they are the
11 organizations, and then also the -- they are
12 responsible for water management. The NTI is
13 responsible for -- and they have different --
14 different responsibilities like wildlife or land
15 management, environment and also health issues.

16 So GN is responsible for different
17 categories, such as health, and so we have to be
18 concerned about the environment.

19 The Breakwater have submitted a plan for
20 reclamation, and that we requested that they do it
21 properly and that's -- and the -- since they made
22 profit out of selling the minerals or the metals,
23 then -- so that's their role as the mine, is to
24 make profit, so...

25 And GN have reviewed the plan, reclamation
26 plan to make sure it is appropriate and that it is

0194

1 not hazardous, and our presentation is on the
2 environment.

3 The community and social development and the
4 economic development is also the responsibility of
5 the government, and we have to appreciate the
6 residents of Arctic Bay for that, for doing
7 studies. They do studies on economic development,
8 socio-economic development, I guess.

9 And the buildings or infrastructure at the
10 mine is not going to be handled by GN. But the GN
11 is looking at the needs of the community, what the
12 people want, not like the infrastructure is a
13 second to the social life.

14 And the Government of Nunavut have dealt with
15 the socio-economic needs of the community. And we
16 were given a deadline of July to submit a plan, I
17 guess, on -- and we are hopeful; we are hoping that
18 we can work with the community of Arctic Bay
19 residents to improve on their social -- that the
20 impact of Nanisivik mine should be positive to the
21 community.

22 SUSAN HARDY: Susan Hardy, Mr. Chair.

23 The GN regulators are regulators concerned
24 about the environment. We want to be sure that the
25 Board and the community are aware that we have
26 pursued many environmental concerns on their behalf

0195

1 since 2002.

2 In some areas that have been a focus for our
3 attention, I am sure that I can surmise the other
4 parties got tired of us at times, but we had many
5 concerns to be resolved.

6 To do our reviews and assess concerns about
7 the environment, we relied on the knowledge of the
8 government staff of -- that you see here, Mr.
9 Baddaloo and Mr. Trotter, wherein were concerns
10 relating to environmental health and human health
11 that's affected by the environment. And we also
12 had expert assistance of Mr. Murphy, who is an
13 engineer from EBA Engineering.

14 The Government of Nunavut and the federal
15 Department of Indian and Northern Affairs have
16 shared Mr. Murphy's services, and that is Brent
17 Murphy. His services and expertise have been very
18 helpful to us in some of the complicated areas that

19 this plan is dealing with.
20 One area where we had concern and the
21 community has also been expressing a concern even
22 today and yesterday, was the tailings covers. We
23 have been present during several technical review
24 hearings where the engineers discussed the very
25 most detailed points of those concerns, and we
26 participated in that and had many of our concerns

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1 resolved there.
2 One of the things that we would like to be
3 clear about is certainly the GN would see there
4 being a danger of moving tailings, as opposed to
5 leaving them contained where they are, this would
6 be a very dangerous activity to do. Our experience
7 at the mine site ourselves is that when tailings
8 are free of their contained environment, they do
9 more harm. So we are very pleased with the Board's
10 proposal to close those, although the community
11 still had questions about those.
12 The other thing that we thought we could add
13 to the technical side of the discussion that has
14 been going on is that in Nunavut, there is a
15 precedent of this kind of act, dealing with the
16 tailings as they lie, that's in Rankin Inlet. The
17 structure is not identical, but our engineers are
18 telling us that the shale material that's proposed
19 here is actually a better insulator and that this
20 is a superior engineering structure to the Rankin
21 Inlet structure, so that is giving us some comfort.
22 And I have used that example to express it in a
23 more simple way.
24 So subject to the monitoring results that the
25 Board will be receiving over time, the work done
26 since 2002 is resolving the concerns that we

0197

1 expressed about many chemical or physical forces
2 that we were concerned might reach this cover. We
3 are convinced that as long as the monitoring is
4 done effectively, this cover and the other
5 requirements will be met.
6 Our concern about the spillway was about its
7 location and whether there might be a bad impact on
8 the dike. As you know, the dike needs to hold up

9 very well to these tailings containers, and the
10 structural changes that have been made since 2002
11 are effective in preventing those kinds of damages.

12 So, again, on advice from the engineers and
13 having participated in those meetings over the last
14 few years, we are generally satisfied that with the
15 monitoring that is proposed, this plan is sound and
16 safe.

17 Soil contaminated by the tailings was a very
18 strong concern for the GN. We did our own report
19 to make sure we had our own good understanding of
20 what was going on in terms of the effects of the
21 soil, partially because we are an administrator of
22 some of land that's affected, most of the land
23 that's affected. That report was submitted to the
24 Board in 2002. We have a version printed off in
25 case anyone hasn't seen it who is here today, so it
26 is available.

0198

1 So we worked with EBA Engineers, including
2 Mr. Murphy, to prepare our soil sample study, and
3 the results of that study showed some elevated
4 metal levels, what you would call hot spots,
5 concentrates out of metal.

6 At Nanisivik, in some of the areas that we
7 are concerned about that seemed to us likely to
8 have an impact on the water and needs some special
9 attention, those results have now been incorporated
10 into the plan as part of the research that they are
11 relying on. And, in addition, CanZinco undertook
12 last fall to specifically remove the most
13 problematic concentrations or hot spots. So that
14 matter of concern to us was addressed by them over
15 those two years, and we are content with their
16 proposal to address that.

17 The last two issues on this slide were still
18 being discussed as recently as May, and they are
19 connected. The concrete pads, we think, do need
20 additional testing just to be sure what we are
21 covering and that it is an appropriate proposal to
22 use the cover. The testing of those pads and
23 proposal to cover them, again, may be the best
24 option, rather than closing up things. And the
25 additional testing is needed to be sure that
26 covering them is the right way.

0199

1 But the proposal to do testing around those
2 areas for materials, including hydrocarbon PCB, and
3 then to cover them as long as that testing confirms
4 it is appropriate, according to the terms of the
5 plan, we agree that it should be happening.

6 Of all the regulators that will appear before
7 you today, the Government of Nunavut has a special
8 concern and mandate to be careful for the public
9 health. And this was a particular concern for us
10 in the Human Health and Ecological Risk Assessment,
11 which is a special report that the mine prepared
12 for that specific area. And also in their Phase 2
13 and 3 ESA reports, which is how they propose to
14 respond to safeguarding health issues.

15 When we received the first draft, Human
16 Health Ecological Risk Assessment, it was a first
17 attempt, and it contained some ideas from the
18 engineers about diet and health and lifestyle that
19 were based on the south, grocery stores; the way
20 you would be living in the south, not how people
21 live and eat in Arctic Bay. The version now
22 incorporates more data gathered in the north,
23 locally in this area, and it is more reflective of
24 Arctic Bay people and their state of health as
25 well. So we were pleased that that change was
26 made.

0200

1 We were also concerned about the Human Health
2 and Ecological Risk Assessment that some of the
3 background data might not be appropriate. It was
4 gathered in 1985, and some mining and some
5 pollution had already happened in 1985. That was
6 especially low around the road and dock area,
7 between the line at the dock.

8 And to resolve this concern, the mine agreed
9 to delete the data that had been collected in that
10 affected area, so that the numbers affected by
11 pollution in 1985 were gone from the sample, and
12 they were working with a more unaffected sample.
13 And, again, this is their response that we are
14 accepting.

15 The GN has also been concerned because lead
16 levels were high when we looked at buildings and

17 soil in Nanisivik, especially because children's
18 bodies absorb lead very easily compared to adults.
19 The HHERA identified toddlers, especially as a
20 population group that would be of concern in
21 assessing risk, and we agree with this. It is the
22 children that would be affected by exposure to
23 lead.

24 And lead is known to be harmful to children
25 if they are exposed to a long-term exposure, such
26 as living on a site or with an object that's

0201

1 contaminated by lead all the time through constant
2 use.

3 The other kind of exposure that would be
4 dangerous to a child, because they are putting
5 their hands in their mouth, it is an acute
6 ingestion of lead, so they are -- some things that
7 are contaminated with lead, this is also bad.

8 So our studies of the houses and the soil and
9 the buildings at Nanisivik showed levels of lead
10 and certain other metals which could be dangerous
11 to the health of children who are living there for
12 a long time. Especially in the soil, we found
13 areas where the lead, as I said, was concentrated
14 in the other metals and should be removed, and the
15 mine has agreed to clean that up. So those were
16 our big concerns that the Human Health and
17 Ecological Risk Assessment, as it has developed
18 over time, has helped us to resolve and develop
19 actions that the mine has agreed to.

20 We heard when we were here in 2002 that the
21 community had concerns about the marine
22 environment, and while that's not our area to
23 regulate, we want to help the community understand
24 that their concerns have a way of being addressed
25 in this plan.

26 We were pleased to see that the metal mining

0202

1 effluent regulations are a force in effecting this
2 plan, and they will have environmental effects
3 monitoring happening through at least July of 2006.
4 That was confirmed to us just recently. And this
5 will make the federal regulators aware if there are
6 issues that should be addressed in their area that

7 are affecting the sea. So that testing will allow
8 those concerns that the community had to be
9 addressed by the federal regulators, if the testing
10 results are of concern. So that area we felt was
11 moving in a good direction.

12 Mine stability is a concern, and as well, the
13 portals, because we don't want people or animals on
14 the surface of the land endangered because it is a
15 problem under the ground with stability. Also, it
16 would be dangerous if, for example, children were
17 able to enter the mine after it is supposed to be
18 closed.

19 The mine has just recently agreed to report
20 on their history with stability in the mine and how
21 those issues have been treated, if there were any
22 problems during the administering of the mine. And
23 this is a bit of a compromise response, but it
24 seems to be the best available data that are on
25 file. And we think this is a response that
26 Nanisivik has met just recently in the 14 years.

0203

1 We also want you to know that stability and
2 portals are an issue, that GN has authority over it
3 as well. It is an area where DIAND is going to be
4 interested because the area is involving them, and
5 the mine safety officials from the GN will also be
6 concerned, so there is two regulators both
7 interested in some similar areas.

8 Mr. Van Goor (phonetic) is the mine inspector
9 for Nanisivik, and although he is not here today,
10 he has attended the technical meetings on several
11 occasions to make sure that his concerns were being
12 addressed. And he also has his own dialogue in the
13 mine, separate from our own. So he has made his
14 concerns known through the technical hearings, and
15 he also follows up with the -- although there will
16 be no more public hearings, for example, Mr. Van
17 Goor works with the mine on an ongoing basis to
18 make sure those issues are met.

19 Rhoda, the last two points that were made.
20 RHODA KATSAK: Arctic Bay residents,
21 community concerns are concerns about the ten
22 houses that were relocated. The tenants, whether
23 they are in an safe environment in the houses, and
24 Levi Barnabus has also expressed a concern.

25 And the Government of Nunavut did a study
26 with Nunavut Housing Corporation. And, as you

0204

1 know, in 1996, the buildings were renovated, the
2 interior and exterior, also furniture and the
3 furnace, and they were -- were built so that the
4 buildings complies to the code. And there was also
5 a concern that previous employees and their
6 families, whether there is no health -- health
7 concerns regarding the mining activity, that if
8 they are just temporary. Like not being there
9 permanently, on occasion, how it would affect the
10 health, whether it is a child or adult.

11 And the people that lived at Nanisivik and
12 that -- those that were employed for consecutive
13 years, let's say three years or more, and whether
14 if anyone obtained equipment or something from the
15 mine site, whether it was not properly cleaned, so
16 these could be concerns for the -- if you stay on
17 the location for a number of years, you constantly
18 are in contact with the contaminants, then you
19 could be a health risk.

20 SUSAN HARDY: There is really two points
21 that I would like to cover, Mr. Chair, about this
22 slide.

23 First, we were pleased to see some final
24 measures being undertaken by the mine in the May
25 14th letter, and they have confirmed many of those
26 here today. The ones of importance to the GN

0205

1 especially are the testing of -- for dangerous
2 substances that they agreed to do, especially
3 around concrete pads, and follow-up with that that
4 needs to be done. Providing of the portal closure
5 details was important to us, and the review of the
6 mine industry with regards to stability.

7 Also, the fact that the monitoring will
8 include some new hydrocarbon materials at the
9 landfill site, benzene, toluene, it was referred to
10 earlier as BTEX. This was a matter of concern to
11 us, and they are undertaking this resolve.

12 And the current confirmation last fall that
13 the hot spots would be removed and placed in
14 underlying areas of concentrated metal proves that

15 this was being dealt with. That was a matter of
16 importance to us as well. And it goes to answering
17 our question, how would we be sure the plans are
18 done? Those last undertakings were our last sets
19 of concerns that needed to be resolved.

20 Really, the Water Board has the key to lock
21 in our confidence that this plan will work, that's
22 through the monitoring and through the ability to
23 respond to monitoring results over time. Follow-up
24 is important.

25 And a bit like with medicine, you need to
26 have a way of responding to unexpected

0206

1 complication. And the contingency plan at the mine
2 that's referred to is the way they propose to do
3 this.

4 Also, the fact that the plan recognizes that
5 the Water Board will give the approval that
6 terminates monitoring is very significant to us.
7 The monitoring would end only after an acceptable
8 performance result is demonstrated. And that's a
9 feature of their plan that doesn't match exactly
10 with the stating that they think that will be seven
11 years. Both ideas are in the plan. And the second
12 idea is the more preferable one to us, that it will
13 be the Board who says that seven years is right,
14 based on the monitoring results you received. So
15 those are the things that help us to be sure.

16 Our written submission addressed two other
17 information requests, and we wanted to also give
18 that information in person here. First of all, I
19 would like to address the studies we have done
20 about future use and efforts that the GN has put in
21 to find out whether this site could be used for
22 future use.

23 I guess I want to introduce this by saying
24 that Nanisivik was meant to be a learning project
25 in the 1970s when it was first thought about. And
26 for us, in the alternative-use area, the last three

0207

1 years have been a bit of a hard lesson. The fact
2 is there was a lot of work and hope from the
3 Government of Nunavut that an alternative future
4 use would be found and that Nanisivik would be a

5 usable site that could help us meet goals that the
6 government and people share. It is disappointing
7 that it hasn't turned out that way, and I would
8 like to try to explain why, if I can, by first
9 saying it is based on a totality. A number of
10 different results from work that the GN was doing,
11 you can't say it is this thing, it is that thing,
12 that's why they are not doing it. It is all the
13 things together have resulted in this decision.

14 Some of the GN work that the Board has heard
15 about before and that we have been working on to
16 investigate future use includes the soil sampling
17 report that you have on file. As you know, as
18 indicated levels of metals that the GN should be
19 concerned about in inviting people to come to this
20 site.

21 The mine's undertaking to clean those was
22 encouraging. In addition, though, the
23 alternative-use study was prepared, which was a
24 study that DIAND and GN again entered into, worked
25 out the terms of references and working together,
26 having it done together. That study mostly

0208

1 eliminated options. The results were not positive.
2 The most positive outcome was that there might be a
3 possibility of using the facilities for a training
4 facility that might be studied later.

5 Housing officials at the GN also made an
6 assessment of the housing, and that report
7 indicated that today, as opposed to in the 1990s,
8 to move a single house would cost over \$900,000,
9 over that. And, of course, our housing experts are
10 indicating to us that to build these houses is less
11 costly. So this result ended the idea of moving
12 the GN housing.

13 We also provided the Boards with results from
14 this investigation that found that inside the
15 house, there were lead and other metals, mostly
16 lead though, that advised us that special cleaning
17 would be required before those buildings and their
18 contents should be used. For the buildings, they
19 said that it would need to be washed thoroughly
20 inside and out by people wearing protective
21 clothing, and it would take four people a day for
22 each house.

23 At about the same time, the public health
24 officials undertook assessments about whether the
25 metal levels would be a risk to people, and that's
26 where we get our comments today about the dangers

0209

1 to children, that there would be a risk of
2 exposure.

3 Even with all this information that I have
4 mentioned so far, right down to the toxicology
5 result, GN has not stopped. The GN, at this point,
6 is still working towards an alternate use, because
7 the mine is telling us that there are things that
8 they are prepared to do to help us make the public
9 health issues less of a concern.

10 This year, two further assessments were made.
11 The Public Works and Services Department, as they
12 were at the time, evaluated the buildings from the
13 perspective of their remaining life span. How much
14 time since 25 years has past do we have left with
15 these buildings? And also from the perspective of
16 what renovation would have to be made to bring them
17 up to the building code and safety codes and
18 regulations that apply now, because many of the
19 buildings were built according to code a long time
20 ago.

21 That result indicated that there were some
22 buildings that had exceeded their life span, and it
23 was time to demolish them now. It also indicated
24 that for the buildings that had some life span
25 left, the GN would require as much as \$50 million
26 over four years to do the renovation just to the

0210

1 buildings. There is no program for it, just to
2 make the buildings useful. And that also does not
3 include the cost of the special cleaning that we
4 found out would be required.

5 People interested in the apprenticeship and
6 education and training requirements within Nunavut,
7 within the Government of Nunavut, were also doing
8 work to explore the training centre idea as well,
9 at the same time. The first alternative-use study
10 said this is worth getting into, and they were
11 looking into that.

12 The alternative option that was considered

13 was the use of the buildings as a trades training
14 centre, because they are suitable for that type of
15 education. It is not going to be a metal school
16 there. And the outcome of their study,
17 unfortunately as well, was that this option is not
18 sustainable at this site, particularly when all the
19 other studies, that I had mentioned, all were taken
20 into consideration.

21 So you can see, it is not contamination, it
22 is not cost, it is the whole result. And I have
23 left out some things that were considered as well,
24 just because we have limited time here.

25 The overall decision that the GN has made is
26 that the establishment of the training program,

0211

1 this was our very last option we had left to
2 consider, is not sustainable. Its costs are
3 disproportionate to what could be achieved, and it
4 is particularly in light of the necessary upgrades
5 to the buildings and equipment, as this result was
6 found.

7 From a perspective that's focussed on the
8 benefit to Arctic Bay and their development of
9 resources as a community, and from a perspective
10 that wants to deal with quality education programs,
11 these funds would have been going too much into
12 buildings in Nanisivik when individual's
13 development and the community development of Arctic
14 Bay are bigger needs and should be the government's
15 view focus. And that has been a problem for a
16 while now, hasn't it?

17 Our core focus has been on community
18 development goals, and the community in question
19 here is Arctic Bay.

20 The money spent at Nanisivik, we found from
21 our socio-economic study, and I have a copy of that
22 with me, as well, if anybody wants to look at it.
23 This was done and submitted in 2002 as well. It
24 has not provided an expected level of long-term
25 benefit in Arctic Bay, and this is the hard way.

26 The alternative-use decision that GN is

0212

1 making is a difficult one, but a strong voice that
2 that direction should change and that the benefit

3 should be more focussed on long-term benefits to
4 Arctic Bay.

5 The decision doesn't mean that Arctic Bay
6 people should not have access to safe, usable
7 materials from the site. We are hoping that the
8 mine will be willing to work with us so that GN
9 materials that are safe and usable, that can be
10 washed with a flat surface, that these would be
11 available to the community and included in an
12 organized way.

13 Things that are more difficult to wash, like
14 a carpet, it is our view that certainly from our
15 specific buildings, this would be a dangerous thing
16 to give to a family. And it doesn't mean that the
17 GN is finished with the outcomes of Nanisivik.

18 The socio-economic study is a document that's
19 being used, as you Board members may know, in other
20 projects with INAC. And when the Inuit Impact
21 Benefit Agreements were being developed, this study
22 was being used to make sure that mistakes are not
23 repeated. It gives us our hard lessons here today,
24 so things are more sustainable in this particular
25 area where we are having a problem with that.

26 The next slide.

0213

1 RHODA KATSAK: I am Rhoda Katsak.

2 The GN wants to keep certain things, and they
3 want to keep the infrastructure. They have to be
4 reclaimed, the main roads to Arctic Bay, the
5 airport and to the dock. Also, okay, reclaiming
6 would be the water systems, utilidor, sewage
7 treatment building, town centre, three-bay garage,
8 and GN houses would be reclaimed -- would be
9 returned to natural state.

10 SUSAN HARDY: Thank you, Mr. Chair.

11 The mine, in addition to the public highway
12 that's referred to here that the GN would like to
13 keep, and it is also including in its plans the
14 idea that GN would accept responsibility for
15 maintaining some recreational roads. And I think
16 that would be included in discussions over the next
17 day or two.

18 Next slide. I would like to close by
19 speaking for a moment about the socio-economic
20 study a little bit more and some of the activities

21 and plans for the Government of Nunavut in that
22 area.

23 It is important for the community of Arctic
24 Bay to know that they are being listened to in
25 terms of the input they gave to the researchers
26 that made this report. It is being used in other

0214

1 project plan, certainly on the Government of
2 Nunavut's part.

3 First of all, we don't ever want to suggest
4 that Nanisivik had no positive impacts in Arctic
5 Bay. Throughout Nunavut, mining has the potential
6 to bring economic and community development, and
7 that has happened in Arctic Bay to some extent.

8 In the case of Nanisivik, there are benefits
9 documented in the records of the community and also
10 in the report based on interviews. Some of those
11 would be that the mine was contributing as much as
12 13 percent of the income in the form of wages that
13 was earned by community members during its
14 operation. Another benefit would be that the
15 income was available in the community to be used on
16 things like houses, food, equipment for hunting,
17 things at that time. Another benefit is that for a
18 time, the mine improved transportation and
19 recreational opportunities that members of this
20 community had.

21 The mine and its predecessors deserve
22 acknowledgment also for taking on an environment
23 and challenges that had not been tried very often
24 before, and they have succeeded with their business
25 goals, and they have succeeded with some of the
26 community development and benefit goals.

0215

1 But we know looking at some of the old
2 documents, that some of these goals, 60 percent of
3 the mine workers being Inuit, were not achieved.
4 It was not as much benefit as the people hoped to
5 find for in the 1970s and '80s. And there was some
6 negative impacts that the community was not
7 prepared or put up or to deal with, and we heard
8 about some of those yesterday.

9 And that reraises the question, how can the
10 parties that were involved from the beginning, and

11 that's the government and the private parties,
12 recognize the areas in which they succeeded and the
13 areas in which they, perhaps, did not succeed and
14 take on that share of the responsibility? And that
15 include us, the GN. We inherit the legacy that our
16 predecessor or government left us.

17 Some of the work that we have been doing so
18 far is working on community business development in
19 Arctic Bay, community capacity building through
20 initiatives and support. There was a mentor visit
21 made last year by a person who did a study in
22 support of community members and what could be done
23 to allow the community to develop the ability to be
24 effective, to achieve its goals when it wanted to
25 send a message, to make sure it sent the message
26 right away to a finder or to a government official,

0216

1 this kind of development in the community. There
2 was development work done to plan a business week
3 initiative, which we hope will go forward soon.

4 Also, there has been a great deal of support
5 given to the Arctic Bay Development Corporation and
6 to Nunavut Consulting. One of the initiatives to
7 development local capacity was supporting the local
8 management and market of the Midnight Sun Marathon,
9 the community did that last year instead of having
10 the mine doing it. And that requires some skills
11 to let the world at large know what is happening
12 here. And that was connected to an initiative by
13 you in the community to use persons in that, that
14 marathon and other charitable events to build you a
15 new basketball court. So the community is coming
16 together and has some goals that the groups are
17 having, and we are trying to support this coming
18 forward.

19 There was short-term pre-trades training
20 given to persons in the community. The first two
21 sessions were delivered this spring, and we hope
22 that that will continue so that there are people
23 available for higher levels of employment, as well
24 as the basic employment in the reclamation project.

25 There was emphasis, as well, on community
26 wellness. The socio-economic report was

0217

1 particularly concerned around some healing needs
2 arising from the experiences of the last 20 years,
3 particularly in regards to substance abuse,
4 self-esteem and anger management in the community,
5 and that is being addressed.

6 And there are plans for the future as well.
7 As Rhoda indicated, the long-term plan is to
8 have -- we are required to bring together and have
9 a first review by the decision-makers and the
10 Government of Nunavut by the 31st of July. So the
11 members of the socio-economic committee that have
12 provided input to date will have their views taken
13 forward at that time.

14 Those members of the socio-economic committee
15 are advising us that Arctic Bay wants to see
16 longer-term initiatives and supports and to build
17 lasting resiliency in their community, and to move
18 forward together.

19 Some of the members of the team that are here
20 are looking to move that forward, both in the next
21 two months, because we have been given a time
22 frame, and over the longer term after that.

23 We were also pleased to see the provisions in
24 Chapter 8 of the closure reclamation plan. The
25 mine does have an intention, I think it was stated
26 here today, to involve and employ members of the

0218

1 community of Arctic Bay, and where GN provides
2 support to that, we want to do that.

3 I want to -- just before I pass this over to
4 Rhoda for closing, I wanted to just correct
5 something. I said Mr. Murphy was an engineer, and
6 he is a geologist.

7 RHODA KATSAK: Our submission for our
8 presentation, we believe that Arctic Bay residents
9 have concerns and knowledge on having a mine and
10 will have benefitted in that. In the future, when
11 there is a mine in Nunavut, that when the mine
12 started, there were different regulations. And the
13 community is a good example of how it would be a
14 working relationship, and that when there is a mine
15 close to the community, that -- so they were used,
16 for example, to create new regulations, and it
17 created agreements so that the benefits to the
18 residents is considered through agreements. Also,

19 that there is -- if possible or if allowed, then
20 there needs to be an economic agreement.
21 And people are now more involved in the
22 development of a community and any impacts on the
23 community, they participate. And the benefits
24 include that Arctic Bay has provided knowledge for
25 the future or to the other areas, other regions.
26 Thank you for allowing us to speak and for

0219

1 your support, and if there is any questions...
2 CHAIRMAN: Thank you. I am getting
3 the signal from the interpreter to take a break.
4 Thank you.
5 BILL TILLEMAN: Thank you, Mr. Chairman.
6 As we go to break, then we would suggest that
7 we could get Exhibit 4 would be the PowerPoint
8 presentation, electronic copy; Number 5 would be
9 the hard copy of the presentation; Number 6 would
10 be the socio-economic study in case it has some
11 water-related impacts and land-related impacts and
12 so on. Thank you.
13 EXHIBIT NO. 4:
14 GN PRESENTATION, ELECTRONIC VERSION
15 EXHIBIT NO. 5:
16 GN PRESENTATION, HARD COPY VERSION
17 EXHIBIT NO. 6:
18 GN 2002 SOCIO-ECONOMIC STUDY
19 CHAIRMAN: Thank you. We will have a
20 question period after the break here. We will give
21 the interpreter a break here for a minute.
22 (RECESSED AT 11:16 A.M.)
23 (RECONVENED AT 11:34 A.M.)
24 CHAIRMAN: Thank you, interveners.
25 Susan and GN members, thank you for your
26 presentation there.

0220

1 If we could make one suggestion though, we
2 know that there is a lot of issues and concerns
3 that you raised that were outside the mandate
4 responsibilities and beyond the authority of the
5 Water Board, but we suggest that you meet with the
6 community on those issues, the issues that are
7 beyond our mandate and responsibility.
8 SUSAN HARDY: Yes, Mr. Chair. If there

9 are questions that we can address that don't affect
10 water, we can try to respond to these very briefly
11 and...
12 CHAIRMAN: Okay. Thank you.
13 Okay. Are there any comments or questions
14 from the applicant in regards to the GN?
15 BILL HEATH: Thank you, Mr. Chairman.
16 Bill Heath.
17 It may be somewhat of a departure from your
18 procedure, but we are wondering if maybe the other
19 parties might be afforded the opportunity to ask
20 their questions of the GN, and we would like to go
21 last, if that's possible.
22 CHAIRMAN: Most certainly.
23 Okay. Are there any questions or comments
24 from NTI to be addressed to GN?
25 GEORGE HAKONGAK: No comments or questions,
26 Mr. Chairman.

0221

1 CHAIRMAN: Thank you.
2 Any questions or comments from DIAND to the
3 GN presentation?
4 DIAND QUESTIONS GN:
5 Q MR. McLEAN: Yes. We have a few
6 questions, Mr. Chair.
7 Thank you, Mr. Chair. It is Carl McLean,
8 Indian and Northern Affairs Canada, INAC.
9 I just have a few questions for the
10 Government of Nunavut. First question, can the GN
11 provide a list and description of the reclamation
12 roads for which it keeps?
13 A SUSAN HARDY: Thank you, Mr. Chair.
14 The two roads that the GN wishes to keep are
15 both registered highways under the Public Highways
16 Act. It is the single stretch of road that runs
17 from Arctic Bay to the airport junction and to the
18 dock and then the Nanisivik airport; those are the
19 roads that we wish to keep.
20 Q So there is no other roads then? Because we
21 understood from your presentation that there were
22 some recreation roads you wished to keep.
23 A That was in the Mines Plan. We understood that
24 they were keeping an access to Kuhulu Lake, and we
25 would like to know more about that ourselves. We
26 plan to discuss that with them and see what can be

0222

1 done.

2 Q Next question, does GN have a reclamation schedule
3 for the reclamations of their infrastructure?

4 A Thank you, Mr. Chair.

5 At this minute, we do not. We have had
6 preliminary discussions with some of the mine
7 managers individually. It sounds as if the most
8 reasonable way to proceed and not create
9 interference with their reclamation activities in
10 the next two years would be to collaborate and have
11 the mine do the reclamation of GN assets. And we
12 were hoping at the end of the proceedings and
13 tomorrow, we will be here until five, that we can
14 have a discussion about the addition of GN assets
15 to their schedule.

16 Q Thank you, Mr. Chair.

17 Just one last question. Are the GN going to
18 reclaim their infrastructure to the same standards
19 of CanZinco that are all under approval for that?

20 A Thank you, Mr. Chair.

21 The answer to that question in short is yes.
22 Certainly if CanZinco is doing the reclamation, it
23 would be our understanding that it would be under
24 the Board's license, with all the same terms and
25 conditions applying.

26 Q Thank you, Mr. Chair.

0223

1 Just one supplementary question to that. If
2 the mine does not agree to reclaim your
3 infrastructure under your plan, will you be
4 applying to the Board for a separate water license
5 for their reclamation?

6 A Thank you, Mr. Chair.

7 We do hope that won't be necessary. But it
8 would be necessary if there is not an agreement
9 with the mine, either for us or for a person
10 operating the project for us. That's very
11 speculative for us to speak to now. We can hope
12 that the arrangement with the mine would resolve
13 things, but a license would be required for that.

14 Q Thank you, Mr. Chair. It is Carl McLean, INAC. We
15 have no further questions.

16 CHAIRMAN: Thank you.

17 Any questions or comments from Environment

18 Canada with respect to GN?
19 COLETTE MELOCHE: There is no questions at
20 this time, Mr. Chairperson.
21 CHAIRMAN: Thank you. Okay. DFO?
22 DERRECK MOGGY: We have no questions at
23 this time, Mr. Chairman.
24 CHAIRMAN: Thank you. Any questions
25 from the general public?
26 GENERAL PUBLIC QUESTIONS THE APPLICANT:

0224

1 MOSES OYUKULUK: I'm Moses Oyukuluk.
2 My question -- my questions, I think, would
3 be directed when they are having a meeting, their
4 road to Kuhulu Lake -- I thought about asking a
5 question on it, I think it is the right time to
6 ask. The road to Kuhulu Lake, if it is going to be
7 open, it would be used only summer and fall, that
8 it would have to be maintained either through
9 erosion, through water, and, you know, there is a
10 risk of vehicle accidents if it isn't maintained.
11 So the road to Kuhulu Lake would have to be
12 maintained.
13 And to the -- my comments yesterday, we were
14 told that buildings were wanted -- people of Arctic
15 Bay wanted buildings in Nanisivik for hunting
16 cabins. And I think 900,000 per unit is a very
17 high estimate. Can you tell us exactly the actual
18 amount it cost for one house to be relocated? Any
19 chance that you government is making it impossible
20 to get buildings?
21 I think there should be a general public
22 meeting from the government so that the people are
23 informed and people can ask questions to them.
24 That's it.
25 SUSAN HARDY: Shall I reply, Mr. Chair?
26 CHAIRMAN: I'm sorry?

0225

1 SUSAN HARDY: Thank you, Mr. Chair.
2 In terms of the road, we had noticed the
3 maintenance implications, and we need to discuss
4 with the mine the timing of it, how that is going
5 to work, because they have been maintaining it up
6 until now. So we are aware of this concern, we
7 want to address that with the mine.

8 In terms of the buildings, the reason I used
9 the \$900,000 figure was because it surprised me as
10 well. Of course, if you move more than one
11 building, there is a bit of a savings. But all of
12 the options that were considered for the GN to move
13 a house, if the GN was paying for this service of
14 moving houses for the community of Arctic Bay, all
15 of them were much higher than the cost of building
16 a new house.

17 If you only move one house, that's the most
18 expensive option, yes. And people are noticing
19 that, and it is a very surprisingly high amount,
20 \$900,000. And the actual amount, if my memory
21 serves me right, is \$938,000 for one house. But,
22 again, a bit less for 10 houses or 15, but always
23 much higher than building a house.

24 CHAIRMAN: Thank you.

25 Q PIUYUQ TATATUAPIK: My question is Rankin
26 Inlet, there was a mine there one time, and we

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1 heard that there was a mine. So have you heard of
2 anyone getting health -- health due to the mine
3 activity in Rankin Inlet? Has anyone ever suffered
4 any illness from the mine activity?

5 A SUSAN HARDY: I'm afraid we don't know
6 the answer to that question. Mr. Van Goor, we
7 would have to ask him. We could investigate with
8 him and answer back later if that would be all
9 right.

10 CHAIRMAN: Thank you.

11 Q PIUYUQ TATATUAPIK: The second question for
12 that reason, I don't think Nanisivik buildings are
13 contaminated, that we had workers there who were
14 cleaning the house regularly, and they put it --
15 new, and they put on new things. So I don't think
16 contamination is a concern for Nanisivik buildings.
17 And I would support getting the houses here and in
18 Arctic Bay. Housing, local housing authority
19 buildings, they have -- what about the...

20 Since we are on a slope and the barrels are
21 used as a foundation in some of the buildings, does
22 that mean they are okay? Are they contaminated,
23 the barrels that are contaminated in the community?
24 So the question is, are they hazardous to human
25 health, those barrels, if they are eroded enough?

26 A SUSAN HARDY: That's, first of all, a

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1 question about Arctic Bay, and it is a question we
2 would need more information about.

3 There are environmental and human health
4 experts. We would like to talk to this lady about
5 where the barrels came from and maybe what was in
6 them, and they can answer the question later, if
7 that's okay, just because we need more information
8 to do more work and find that out.

9 CHAIRMAN: Okay. Thank you.

10 Q TOMMY KILABUK: Thank you, Chairman.

11 I am working for Government of Nunavut, so my
12 questions -- I used to work public works, or I used
13 to work in Nanisivik for ten years maintaining. My
14 question yesterday -- and I have seen Nanisivik
15 activity and the contamination that is mentioned.

16 I work for the government. I used to ask the
17 wildlife officer why they don't study the
18 wind-blown tailings, and government wildlife
19 officer said it is not my responsibility.

20 So it is no longer an active mine, so -- and
21 we keep hearing these concerns about the
22 contamination. And during the mine, when the mine
23 was operating, government should have done studies.
24 But in some ways I don't really trust the
25 government.

26 My question to Susan, since there was being

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1 studies, the Inuit who had children in Nanisivik,
2 have -- is there any evidence of that child, when
3 they are born, whether they have any liver or
4 internal illnesses?

5 SUSAN HARDY: Thank you, Mr. Chair.

6 There were two points there that I want to
7 address separately. One is in terms of the
8 affected wind-blown tailings, this team that you
9 have been working with for the last two years, we
10 did think it was our responsibility. And we had
11 BCG Engineering do extra work, in addition to what
12 the mine was doing, to make sure we understood what
13 kind of effects they may have had for that site.

14 So I can see where a wildlife officer might
15 not take that action. But for us, it is our

16 mandate and our responsibility, and we did take it
17 here that made us concerned.

18 In terms of data about specific children, we
19 don't have that for this site. What we have is an
20 understanding in the metal community of what lead
21 does to people generally, first of all, and also an
22 understanding that Inuit have a particular
23 susceptibility to metals absorption in addition to
24 the average person. So this is a considerably high
25 risk for children.

26 We don't have any complaints from any

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1 children, and that could be because they weren't
2 exposed enough to be affected, or it could be
3 because they didn't understand that there was that
4 danger to be working with.

5 Q Thank you, Chairman. More than 20 years the mine
6 have operated, and if there is any concerns, health
7 concerns, then I think with all those studies,
8 there could have been an indication of how the
9 contaminations could have effect on the human
10 health. So if there was no studies done -- so I
11 don't know what the effects are.

12 So also, too, there was ten houses that were
13 moved from Nanisivik and are located to Arctic Bay.
14 And sometimes I get asked to fix up houses, and
15 we -- I worked on the five buildings, interior and
16 taking it out and renovating the whole building,
17 and we work on them before they were washed. So
18 the five houses, funding for the five houses for
19 renovation, maybe the estimate that you got, amount
20 is some for renting vehicles? You said \$900,000,
21 that requires probably the rental of the moving
22 equipment, mainly that if -- that's my question.
23 BRUCE TROTTER: Thank you, Mr. Chair.
24 Bruce Trotter. I would like to answer your
25 questions as individually here. The first one that
26 Tommy asked was about, what does lead do to people?

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1 There are two things, there can be what is called
2 an acute exposure to lead, which is something that
3 miners would suffer when they are actually in the
4 mining process, in this case. And the other one,
5 the one that is most serious is the long-term

6 exposure effects that children would suffer,
7 because they are the most vulnerable to the lead.
8 And these relate -- these effects relate to
9 developmental processes of the young body,
10 mentally, mental particularly. And these are hard
11 to assess. And that's -- that is the thing that we
12 are concerned about with the -- with people living
13 in these houses.

14 There were -- there were never any
15 complaints, and I think this has been established
16 already, by people living in the houses, any
17 problems that they or their children were suffering
18 from that could be related to lead.

19 A number of times miners were tested, but at
20 no time, to my knowledge, were other residents of
21 the community tested for lead. So that's -- does
22 that answer your question?

23 Q Thank you, Chairman. Yes, you partly answered, but
24 when I -- workers at the mine, they went home
25 without washing, and they ate with their hands
26 without washing, so, you know, if they -- although

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1 you said if they are eating without washing -- so
2 it is hard to get an answer whether that would be
3 dangerous if I eat something after working without
4 washing, and I eat with my hands, would that be a
5 health risk? Like, the buildings were -- the
6 buildings are usually -- have ventilation, and the
7 insulation were not removed, and the -- if they
8 were not -- if it is a real concern, then they
9 should have removed the insulation.

10 So I have sons that can work to dismantle, so
11 I still want some buildings to be given to us.

12 CHAIRMAN: I would like to ask GN,
13 there are issues that are coming up here that are
14 outside our mandate, for example, housing and
15 health. And I just am wondering if GN would
16 organize a meeting in the community today so that
17 we can carry on with our public hearing that relate
18 to water-related matters.

19 Obviously there are some concerns that are
20 outside our mandate, so I'm just suggesting and
21 asking if GN would organize a meeting with the
22 community so they can express their concerns about
23 other matters other than water-related matters.

24 Thank you.
25 SUSAN HARDY: Thank you, Mr. Chair.
26 Certainly if there is time at the end of the day to

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1 do that. There is also a meeting planned for the
2 second week of July already, and that would give
3 us, as well, some time to respond to the questions
4 that were here and provide more answers.
5 CHAIRMAN: I think you fully
6 understand what I am requesting, thank you for
7 understanding.
8 Q TOOTALIK EJANGIAQ: Thank you. Buildings is a
9 concern.
10 I usually listen to the CBC radio, and we
11 would -- we heard that there will be no house
12 relocated in Arctic Bay, and so we are trying to do
13 something that's already been decided by
14 government. So we listen to the media, and I heard
15 on the CBC that any buildings from Nanisivik will
16 not be relocated to Arctic Bay. Who is responsible
17 to make that decision?
18 A SUSAN HARDY: Thank you, Mr. Chair.
19 That is a decision the Government of Nunavut
20 has made. I want to clarify for the lady here that
21 the Board can't assist with that. The Government
22 of Nunavut has to make a decision.
23 CHAIRMAN: Thank you. The interpreter
24 couldn't hear you.
25 SUSAN HARDY: Okay, sorry. I was
26 explaining that the Government of Nunavut has made

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1 the decision not to move houses; we explained a bit
2 earlier today why that decision was made. It is
3 the Government of Nunavut's decision and study that
4 resulted in that.
5 The Board doesn't have an input into that
6 decision, and they can't change it.
7 Q TOOTALIK EJANGIAQ: Thank you. Since we were
8 not aware of that decision, if we knew of the
9 decision made by the GN, we would not have
10 requested the building. And I think the GN should
11 have consulted the people before they make that
12 kind of decision that affects the community. And I
13 think they were only concerned about the

14 contamination. And if that was the only reason and
15 the cost of relocating, then they were -- they did
16 not consider the people of Arctic Bay, what they
17 want. So I am very upset over that.

18 And if the buildings are just demolished and
19 -- because we had been told that this will be
20 considered, because we live close to Nanisivik.

21 And if individuals are allowed to dismantle
22 buildings and move themselves, then we will use
23 those building materials, and we will use them, we
24 can fix them ourselves. We don't need money to do
25 that. So there is no money involved in doing
26 volunteer work, dismantling and moving, so I think

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1 this should be considered seriously by GN of
2 allocating or at least giving the building
3 materials to Arctic Bay residents.

4 And we are not concerned about the
5 contamination of the buildings, that I want GN to
6 seriously consider Arctic Bay people's request.
7 And it is obvious that they are not -- they didn't
8 consider the people's request. So I think as I
9 mentioned yesterday, my next option is to go
10 through the legal system.

11 CHAIRMAN: I asked the GN if they
12 could organize a public meeting, and because we are
13 discussing things that are not related to the Water
14 Board -- and GN, I asked them if they could set up
15 a public meeting to address public concerns either
16 health or contamination issues, so we have to move
17 on with the Water Board matters. And these
18 buildings, as an example, or health issues,
19 education, we aren't -- that's not the Water Board
20 mandate, and that's -- we are here listening, we
21 are hearing, and we already asked the GN if they
22 could organize the public meeting, and they agreed,
23 they would organize a public meeting.

24 So after the Water Board hearing, the GN will
25 meet with the public, the hamlet to listen to the
26 people's concerns. Does that help?

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1 SUSAN HARDY: Mr. Chair, there is a small
2 response that does relate to the Mine's Plan.

3 CHAIRMAN: Okay. Thank you.

4 SUSAN HARDY: They did indicate that they
5 would like to make furniture and parts of buildings
6 available to the community in an organized way, and
7 we would like to work with them to make sure that
8 that can happen.

9 As I mentioned in my presentation, there are
10 things that we would be concerned about people
11 taking from the site, carpets, upholstery, things
12 that are likely to be harder to clean to a safe
13 level. But as for furnishings and building
14 materials, even appliances that can be cleaned
15 before they are taken from the site, these are
16 things that we would like to find a plan that's
17 organized and safe for making available to the
18 community in a way that the mine agrees and that we
19 can participate in with our assets as well.

20 CHAIRMAN: Okay. Thank you. Were we
21 clear on the request for GN to meet with local
22 people? I said it once, and a second time in
23 Inuktitut.

24 Okay. Ramli, you had a question with regard
25 to GN's presentation?

26 ACRES INTERNATIONAL QUESTIONS GN:

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1 RAMLI HALIM: Thank you, Mr. Chairman.
2 Just a very brief question, and I am Ramli Halim
3 with Acres International.

4 If I'm not mistaken, on the southeast of the
5 townsite there is a structure that is used for
6 storage of potable water, and I just want to
7 clarify actually who has responsibility for
8 reclaiming that area? And the other thing is, the
9 second question is that the waterline from the East
10 Twin Lake to that water storage?

11 SUSAN HARDY: Thank you, Mr. Chair.

12 The water infrastructure that we are aware of
13 is near East Twin Lake, just outside the town.
14 There is a tower with materials. Those are our
15 responsibility to reclaim, yes.

16 I confused people in my written presentation,
17 I think. The lake, of course, is federal, the
18 water is federal. The materials we used to bring
19 it down from there are ours, including the
20 waterline. Does that answer your question?

21 RAMLI HALIM: Yes. There is no further

22 question.
23 CHAIRMAN: Thank you.
24 Water Board staff, do you have any questions
25 or comments?
26 WATER BOARD STAFF QUESTIONS GN:

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1 Q PATRICK DUXBURY: I just want to clarify the
2 role that the GN sees itself in playing with
3 regards to consultation post-closure, basically in
4 reviewing and sharing with Nunavut the results of
5 the monitoring studies? I know the Water Board
6 will review these internally. It is not my
7 understanding, once this hearing is closed, that a
8 lot of our findings shift away from this. We don't
9 have funding to basically liaise with the
10 community, so I am wondering what the GN can do to
11 basically ensure that the community is informed of
12 these issues and the provisions. Thanks.
13 A EARL BADDALOO: Thanks, Mr. Chair. It is
14 Earl Baddaloo. Thank you, Mr. Chair.
15 The short answer is, yes, it will be shared.
16 Depending on the information that we receive at the
17 time and the kind of information that we receive, a
18 lot of times it comes through and it comes to us.
19 In those cases, it will be discussed with the Board
20 and certainly the information will be shared.
21 All this information is available, and it
22 could be also shared through the MLA. Any
23 information comes like that, what comes after is
24 public information.
25 Q To follow up on that question, also there has been
26 -- it was requested from the intervention from the

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1 hamlet of Arctic Bay of possibility or partially, I
2 guess, the monitoring or reporting which resides in
3 the community supported by the GN possibly, the
4 Water Board or other agencies that they can. Can
5 you clarify the GN's commitments or its role to
6 help along that, to ensure that someone locally
7 might be involved?
8 A SUSAN HARDY: Patrick, you are asking a
9 very good question that we are struggling with,
10 actually. We had budgeted for a position for a
11 community liaison-type person in connection with

12 alternate use earlier this year. Since that is not
13 possible now, we have to work towards our deadline
14 of July 31st to find another way of raising that
15 person with the activities that will happen in town
16 in the new scenario. And so it is not together
17 yet, so we understand the importance of that.

18 There is also a lot of activity that we would
19 like to have someone here just kind of
20 knowledgeable. And we recognize that that's a
21 need. Where is it going to fit in the next
22 iteration of our planning? I'm not sure.

23 Q I have no more comments on that issue.

24 CHAIRMAN: Okay. So I take it we
25 don't have any more questions from the Water Board
26 staff?

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1 BILL TILLEMAN: Yes, sir.

2 CHAIRMAN: Okay. I would recommend
3 right now that we break for lunch and come back at
4 quarter to one.

5 Any further comments?

6 BILL HEATH: Mr. Chairman, if you
7 recall, we asked to go last. And if you want to
8 get us in quickly before we break for lunch, we are
9 prepared to do that.

10 We recognize that some of the things that we
11 had wanted to talk about are outside of the domain
12 of the Water Board, so we would leave those alone.
13 But there are just very few comments we would like
14 to make.

15 APPLICANT QUESTIONS GN:

16 BOB CARREAU: Here is a question, I have
17 a question for the GN. I have a bit of a preface.

18 But first off, I would just like to say my
19 comments, my preface is not intended for the people
20 sitting at that table, and I have all respect for
21 the people at that table.

22 I think we have a bit of an advantage,
23 perhaps, in an organization the size of CanZinco is
24 that we offer up our own interests or the interests
25 of the company. So oftentimes my own opinions, my
26 own perspectives or Bill's opinions or perspectives

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1 are reflective of the company, and that is not

2 always the case with the government. You may have
3 different opinions, but you have to speak, you have
4 to walk the line.

5 So it is just -- and I will get to my
6 questions. It is curious for us to see how the GN
7 believes that they are working in a cooperative
8 spirit for us to transfer some infrastructure, the
9 quote was, "To work with CanZinco to transfer
10 materials and infrastructure." Lately the input
11 has only been in the form of obstacles.

12 The GN efforts have resulted in stifling our
13 efforts to contribute to the people of Arctic Bay
14 and provide additional benefits in the form of
15 materials, furniture, housing, large
16 infrastructure.

17 We have heard today, for the first time, that
18 we wouldn't be able to give couches or mattresses
19 or some furniture that, in fact, the people here
20 were using last night. Intuitively, common sense,
21 these aren't 25-year-old mattresses and 25-year-old
22 couches, these are things that you change out all
23 the time.

24 Caution is important in these things, we have
25 to be cautious, but it has got to be based on
26 scientific evidence. And there is something called

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1 the precautionary principle that we invoke in
2 environmental studies, but that's in the absence of
3 information, in the absence of evidence. We have
4 enough evidence. And if we don't have specific
5 evidence of what the dust in the couch is, you
6 collect that. So to simply continue to say no and
7 avoid any possible liability and political fallout
8 is the easy way out, that's what the GN is doing.
9 And more importantly, it is stifling our interests
10 in trying to provide some benefit to the people of
11 Arctic Bay.

12 So we certainly want to participate in any
13 meetings that the GN has with the people of Arctic
14 Bay. And we would like to ask directly, for the
15 record, can you provide specific guidance on which
16 materials, which furniture, what infrastructure we
17 can transfer, we can sell, we can donate to the
18 people of Arctic Bay?

19 SUSAN HARDY: Thank you, Mr. Chair.

20 Some of these answers may go into the
21 territory that you want to have in a separate
22 hearing, but I feel that it would be useful to
23 respond to this.
24 We anticipated questions of this kind. And
25 it is important to be aware that GN's decision is a
26 decision about what the GN can and can't do, and

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1 what we won't do. The mine is not limited in who
2 it can buy and sell to from -- by us.
3 So we, the GN, don't want to transfer any
4 materials to the community that would be dangerous
5 to the community, and we will be very strict about
6 that in what we do.
7 We would encourage the mine to take seriously
8 the danger that a child could face being confronted
9 with contaminated upholstery in their home. This
10 is a concern to us, but we don't regulate it for
11 the mine to donate to anyone else from their
12 community. As a result, if the material were not
13 cleaned and it were used in something that we
14 regulate like an inn or a tourist facility, they
15 would have difficulty with us.
16 CHAIRMAN: Okay. Let's break for
17 lunch. It is 12:15, come back at 12:45, half an
18 hour from now. That sounds fair?
19 (RECESSED AT 12:20 P.M.)
20 (RECONVENED AT 1:16 P.M.)
21 CHAIRMAN: Good afternoon. We can
22 reconvene with the hearing.
23 The next interveners will be DIAND. I will
24 ask Susan to swear them in. Thank you.
25 SUSAN HARDY: Thank you, Mr. Chair. I am
26 a commissioner of oaths for the Territory of

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1 Nunavut. And I am just going to ask you to state
2 your name and spell your last name for the record.
3 CARL McLEAN: The name is Carl McLean.
4 Last name, M-c-L-E-A-N.
5 (CARL McLEAN SWORN)
6 SUSAN HARDY: Can I ask that you state
7 your name and spell your last name for the record.
8 STEPHANIE HAWKINS: Stephanie Hawkins,
9 H-A-W-K-I-N-S.

10 (STEPHANIE HAWKINS SWORN)

11 CHAIRMAN: Thank you, Susan.

12 PRESENTATION BY INAC:

13 CARL McLEAN: Thank you, Mr. Chair.

14 My name is Carl McLean. I'm the manager of
15 land administration with Indian and Northern
16 Affairs Canada in Iqaluit for the Nunavut regional
17 office. To my right here is Stephanie Hawkins, she
18 is with our water resources division in our
19 regional office. And to the far right of us here
20 is Norm Cavanagh, he is with Justice Canada and our
21 legal counsel on this project.

22 Also part of our team is Constantine
23 Bodykevich, he is our water resources officer. And
24 he is handing out copies of our presentation here.
25 Also Anusha Aruliah with Justice Canada. She is at
26 the back of the room here. And my colleague has

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1 brought this up, and he kind of reminded me about
2 it, so I won't forget today, Brent Murphy is our
3 technical advisor from BGC Engineering Consultants,
4 and he is also going to operate our presentation.

5 We are very happy to be participating in this
6 hearing today. The process of reviewing the
7 reclamation and closure plan has involved
8 participation of a lot of different parties on a
9 number of issues. And this involvement will ensure
10 that the Nanisivik mine site closure and reclaim is
11 stable once the work is completed.

12 On a personal note for myself, this is the
13 first time in about ten years I have been back to
14 Arctic Bay. And we have certainly been blessed
15 with the weather, and the scenery is beautiful,
16 like always.

17 So we will go on with our presentation then.
18 Basically we will start with the introduction. We
19 will just briefly touch on what our regulatory
20 obligations are dealing with the outstanding issues
21 and recommendations by water license requirements,
22 and we will have a conclusion.

23 I will point out, though, that the points we
24 are going to give today is just a summary of our
25 more detailed written intervention, which we
26 submitted to the Water Board on May 28th. And I

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1 encourage everybody to read the detailed report for
2 the full information.

3 Indian and Northern Affairs Canada, with the
4 assistance of EDA Engineering Consultants, they
5 took a technical review of the Nanisivik mine
6 reclamation and closure plan submitted by CanZinco
7 in accordance with Part G of their water license.

8 The following comments comprise the summary
9 of INAC's outstanding concerns with the reclamation
10 closure plan and takes into consideration all
11 correspondence received by the Nunavut Water Board
12 proponent's subsequent recommendations of the
13 reclamation and closure plan.

14 Next slide please, Brent. I just have to fix
15 my screen here because I went too far, just bear
16 with me.

17 INAC's RCP, reclamation and closure plan,
18 review is based on the Human Health and Ecological
19 Risk Assessment approved in November 2003, the
20 Nanisivik mine 2004 reclamation closure plan and
21 all properly -- documentation received by the Water
22 Board from March to June 2004.

23 INAC believes that the proponent has provided
24 a sound framework through which recommendation and
25 closure activities can be implemented. However, a
26 few outstanding items remain.

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1 We will move on to -- we will review this now
2 by sections. The first section we are going to
3 deal with is the final closure and reclamation
4 plan, G-3.

5 The proponent has committed to providing a
6 spring/summer 2004 implementation plan at the
7 Arctic Bay public hearings, and they actually have
8 presented that yesterday. Pending the submission
9 of the approval of the implementation plan, INAC
10 recommends that the proponent provide future
11 proposed implementation plans for NWB review and
12 approval. And we actually made that policy also in
13 our questioning to the proponent.

14 This could possibly be included as the
15 proponent's report of the quarterly reports
16 requirement issued by NIRB.

17 INAC also recommends that new water license

18 applications be required for any undertakings not
19 identified under the current license. Such
20 undertakings would include a proposed reassignment
21 of facilities or infrastructure identified under
22 the current license.

23 INAC, in its written submission, also
24 provides a listing of the six land leases and the
25 four quarry permits held by the proponent. It
26 recommends that these leases and permits are kept

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1 up to date and requested that the roads on these
2 leases be recontoured and returned to its
3 post-mining conditions as possible.

4 G-4, engineering and design of surface
5 reclamation covers. The proponent concurrently
6 plants to leave the industrial complex and
7 concentrate storage concrete foundations in place
8 and cover it with shale for reclamation.

9 INAC has previously recommended that these
10 foundations and any associated contaminated soils
11 be removed and stored in the underground mine
12 workings. The proponent has committed to
13 investigating the concrete foundation areas for
14 potential contamination. INAC recommends that
15 given the uncertain state of these sites, NWB
16 approval be conditional for final approval granted
17 on receipt and review of these reports. That's the
18 investigation reports.

19 G-8, which is the waste rock piles and open
20 pit closure plan. The proponent has committed to
21 providing additional geochemical characterization
22 of the west open pit and west open pit access road.
23 INAC recommends that the waste rock piles and open
24 pit closure plan receive conditional approval with
25 appendaging (phonetic) geochemical inspection
26 reports subject to a separate NWB review and

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1 approval process.

2 G-9, which is the closure and monitoring
3 plan. INAC supports the current identified
4 monitoring regime, which covers the reclamation
5 period and the first five years of the post-closure
6 period. The support -- this support is conditional
7 on the proponent's identified commitment to modify

8 the program, including lengthening of the
9 monitoring period to address any and all concerns
10 and environmental impacts that may be identified.
11 INAC recommends, however, that the proponent
12 also provide the plan to ensure that the residents
13 of Arctic Bay be kept informed of the monitoring
14 results and the implications throughout the
15 monitoring period.
16 And the next report is Section 13, 2003,
17 Phase 3 environmental site assessment. INAC
18 recommends that the proponent may further their
19 commitment to the sampling for PCBs in the
20 immediate and surrounding PCB storage facility,
21 including the slab. INAC further recommends that
22 the results of the PCB and ANFO plant sampling and
23 any contingency plans developed be submitted to the
24 Nunavut Water Board for review and approval.
25 Section 14 of the plan is Human Health and
26 Ecological Risk Assessment, or HHERA. The

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1 Government of Nunavut and the Department of
2 Environment has expressed concern over the HHERA in
3 which received NWB approval in November 2003. As a
4 number of GN departments were involved in the
5 development of this HHERA, INAC recommends that the
6 Nunavut Water Board seek clarification on the GN's
7 position on the acceptability of the HHERA and the
8 soil quality and the remedial objectives,
9 which I refer to as SQROs, contained therein. If
10 the Nunavut Water Board determines that the HHERA
11 and associated SQROs are open for further
12 discussion and/or modification, INAC recommends
13 that the review approval on the specific activities
14 and approved SQRO, such as clean up of contaminated
15 soils, cease until such time as these remedial
16 objectives are no longer subject to change.
17 G-16, which is the waste disposal plan. The
18 information provided by the proponent is
19 insufficient with regard to Nanisivik mine's
20 long-term stability and potential for future
21 surface subsidence. INAC requests that an updated
22 and certified report be prepared by a professional
23 engineer that reflects current mine conditions and
24 addresses the short and long-term stability issues
25 associated with the closure of the Nanisivik mine.

26 The mine portal closure designs presented in

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1 this report were also inadequate. INAC requests
2 that the proponent provide a subsequent NWB review
3 and approval of detailed closure of the mine
4 portals, ventilation raises and all other mine
5 openings to the surface that are certified by
6 professional engineers.

7 The mine portal seal designs are also subject
8 to approval of the mine inspector, Workers'
9 Compensation Board.

10 G-17, landfill closure plan. INAC recommends
11 that the proponent provide landfill contingency
12 plans and the framework under which these plans
13 would be employed. These could be submitted to the
14 Nunavut Water Board for review and approval at a
15 date prior to the completion of the reclamation
16 phase. INAC also recommends that the proponent not
17 be permitted to remove any monitoring parameters
18 without environmental approval of the Nunavut Water
19 Board.

20 Finally, to conclude, INAC has reviewed
21 CanZinco's Nanisivik mine 2004 reclamation and
22 closure plan, and is of the opinion that the
23 proponent has provided a sound framework through
24 which reclamation and closure activities at the
25 mine can be implemented.

26 INAC is confident that the reclamation and

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1 closure plan has been developed in accordance with
2 Nunavut Water Board processes, good engineering
3 practices and government policies for mine
4 abandonment and reclamation. INAC is satisfied
5 that the reclamation measures proposed and land
6 leases from INAC are sound.

7 INAC, therefore, recommends that the 2004
8 Nanisivik mine final closure and reclamation plan
9 to include information and commitments provided by
10 the proponent through NWB mediated correspondence
11 be granted conditional approval, with the
12 identified outstanding items subject to additional
13 Nunavut Water Board review and approval.

14 And further, I would like to commend the mine
15 for coming a very long ways from two years in the

16 plans they developed for the reclamation and
17 closure. We feel they have done a very good job.
18 Thank you very much.
19 CHAIRMAN: Thank you, Mr. McLean.
20 Any questions or comments from the applicant?
21 BILL HEATH: No, we are fine. Thank
22 you, Mr. Chairman.
23 CHAIRMAN: Thank you.
24 Any questions from the hamlet of Arctic Bay?
25 No? Okay. Any questions or comments from NTI?
26 GEORGE HAKONGAK: No questions, Mr. Chairman.

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1 CHAIRMAN: Thank you. GN? Thank you.
2 Environment Canada?
3 ENVIRONMENT CANADA QUESTIONS INAC:
4 Q COLETTE MELOCHE: Environment Canada has two
5 quick questions for them.
6 Thank you, Mr. Chairperson. Colette Meloche
7 from Environment Canada.
8 The first question is in relation to the land
9 leases. In your written intervention, you had
10 stated that the Crown Land leases would be renewed
11 until December 31st of 2012, and Environment Canada
12 just is wondering why they would be renewed until
13 this date, rather than the end of the monitoring
14 period in 2010.
15 A CARL McLEAN: That is a very good pick
16 up. It is probably an oversight on our part. We
17 will at least want the leases renewed to 2010,
18 which is the current proposed end to the monitoring
19 program. However, with the proviso that if the
20 condition is warranted an extension to that, it
21 will be applied to the lease dealing with that
22 extension. Thank you.
23 Q Colette Meloche with Environment Canada, Mr.
24 Chairperson. One further question, under Part G,
25 Section 4, engineering design resurface reclamation
26 covers, you had stated that in your written

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1 intervention, a significant contamination was
2 detected within the loading concrete foundations.
3 We would recommend that the foundations and
4 associated soils be reviewed. I was just wondering
5 if you could define for us what you consider

6 significant contamination to be.
7 STEPHANIE HAWKINS: If those materials were to
8 be found above the escrow rows, then that would be
9 sort of back to the Water Board review and
10 discussion and review in the contingency process
11 from that point forward.
12 COLETTE MELOCHE: Thank you. No further
13 questions, Mr. Chairperson.
14 CHAIRMAN: Thank you.
15 Any questions or comments from DFO to be
16 addressed to INAC?
17 DERRECK MOOGY: No questions, Mr.
18 Chairperson.
19 CHAIRMAN: Thank you.
20 Any questions or comments to be addressed to
21 INAC from Acres?
22 RAMLI HALIM: No further questions.
23 CHAIRMAN: Thank you.
24 Any questions or comments from the general
25 public to be addressed to INAC?
26 GENERAL PUBLIC QUESTIONS INAC:

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1 Q MOSES OYUKULUK: It is the final meeting,
2 and we are serious. My question, when MOT was
3 administering the airport, they used to have a
4 landfill near the airport. And in that area there
5 is old equipments and old landfill, and will those
6 be reclaimed, or will they be covered, or will they
7 be part of the reclamation and put inside the
8 underground work mines?
9 A CARL McLEAN: Thank you for that
10 question. It is Carl McLean, INAC.
11 I wonder if the gentleman could clarify
12 whether this is the airport property or if it is --
13 I am actually trying to think of something which
14 may help us determine the landowner.
15 Q The current location of the airport. I don't know
16 the boundary of the airport, but when they were
17 using the -- when MOT was responsible for the
18 airport, they had the landfill site there.
19 A Thanks for the clarification. The current airport
20 property and the immediate land in the vicinity was
21 transferred to the Government of the Northwest
22 Territories and, at some point, the Government of
23 Nunavut through the Arctic Airports Transfer

24 Agreement. But without knowing the exact details
25 of the landfill site, it would be tough to answer
26 on the responsibility for the remediation. But,

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1 you know, that's -- in our opinion, it is not
2 Indian and Northern Affairs responsibility, but
3 whose -- actually whose responsibility it is with
4 the question of reviewing the situation, location
5 and ownership and who is responsible.

6 CHAIRMAN: Thank you.

7 Q KOONOO OYUKULUK: My question -- I'm Koonoo
8 Oyukuluk. I am -- federal government, DIAND, that
9 you will be monitoring the contamination of Arctic
10 Bay is our municipal government, and that if there
11 is any seepage, I guess, from the contamination,
12 that Arctic Bay be invited to observe or at least
13 witness the -- because hamlet is our municipal
14 government, therefore, they should be involved if
15 there is any changes or any seepage from the --
16 from the tailings. I guess that they should be
17 invited to see what's happening there.

18 A CARL McLEAN: Yes, I'm just trying to
19 find where in our intervention -- because I believe
20 we dealt with that, but just give us moment, I will
21 try to find the exact wording.

22 Yes, in our intervention under G-9, closure
23 monitoring plan, we recommended that the proponent
24 also provide a plan to ensure that the residents of
25 Arctic Bay are kept informed on monitoring results
26 and information through the monitoring period.

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1 Thank you.

2 CHAIRMAN: Thank you.

3 LEAH KALLUK: My question, when the mine
4 was being prepared, Arctic Bay residents were asked
5 if they want to move the community to Nanisivik.
6 But we heard today that there is contamination in
7 the area, and I am glad that the -- our Elders that
8 were here at that time did not decide to move the
9 community to Nanisivik, and they knew it was too
10 far from the coast, as Inuit like to live along the
11 coast. And so I'm grateful that our Elders did not
12 agree to move the community up to the Nanisivik
13 site because the contamination that we hear, that

14 we could have been involved in the contamination.

15 But also since our kids were small, we were
16 told that our kids would work at Nanisivik, so when
17 we started having grandchildren, the mine finally
18 closed down, and -- but to me, I have asked a
19 number of times the minerals that were found, I
20 think they ship it out, the concentrate, twice a
21 year, and we have never been told of what the
22 purpose of those concentrate is. Like, we don't
23 know what they use that material for, the -- within
24 that they mine, because we heard, perhaps. The
25 Arctic Bay residents could be told where those
26 concentrates go and what they use them for, so that

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1 they can understand what those minerals or the
2 metals are used for. And, like, they used them for
3 different equipment or something, and just to show
4 how the minerals have impact on our day-to-day
5 lives and how it develops. So thank you.

6 BILL HEATH: Would you like a brief
7 explanation of zinc?

8 CHAIRMAN: Might as well. I think if
9 I understood her question properly that that's just
10 wondering about the zinc that was mined.

11 BOB CARREAU: Good question. Thank you
12 very much.

13 The concentrates -- concentrate means it is a
14 mixture of the metal that you are after and the
15 waste material. We didn't produce 100 percent zinc
16 and 100 lead. We produced a mixture, and our
17 mixture was about 50 percent zinc in our
18 concentrate and about 50 to 60 percent lead in the
19 metal concentrate product, the rest of it being
20 waste material, iron, flower stone (phonetic),
21 things that aren't economically recoverable or
22 economically viable. But they report in the
23 concentrate.

24 So what you do with zinc, is you galvanize
25 metal, that means you are putting a treatment on
26 metal that makes it rust proof or rust resistant,

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1 so autobodys, appliances, roofing materials,
2 that's what you use zinc for, is the big consumers.
3 But zinc is also a fundamental micro-nutrient, so

4 we use zinc as well, it is a vitamin, a mineral, a
5 mineral that we need for to sustain life. So a
6 small portion of zinc is used in making mineral
7 supplements.

8 The lead is -- the biggest consumption for
9 lead is for batteries still, car batteries, so in
10 order to start your Skidoo or to start your car.
11 And it is also used -- it is used as a shielding
12 for nuclear devices, and those are the biggest two
13 uses. I hope that answers your question.

14 CHAIRMAN: Thank you. Okay. Any
15 questions from the Water Board staff?

16 BILL TILLEMAN: Thank you, Mr. Chairman.
17 We will go to Patrick first.

18 WATER BOARD STAFF QUESTIONS INAC:

19 PATRICK DUXBURY: Just a question. Pat
20 Duxbury here.

21 I just wanted to revert to a letter the was
22 submitted by Stephanie Hawkins on May 14th, and
23 this is where it kind of is in regards to concerns
24 that were brought up earlier by several people from
25 the community here about being involved in
26 monitoring and doing the reclamation and

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1 post-closure period. And the letter refers to the
2 fact that INAC would be willing to be involved in a
3 committee or some sort of organization and maybe
4 some other commitments that we mentioned, or at
5 least INAC would clarify with. It would perhaps do
6 in order to support the community in understanding
7 that the closure process and also perhaps the
8 organization, territorial organizations such as the
9 GN and Nunavut Water Board, approval from these
10 organizations as well.

11 STEPHANIE HAWKINS: I believe the letter
12 you are referring to was a response on the
13 Strathcona Sound monitoring that exists, but our
14 understanding is not to the appropriate value or
15 issues of monitoring reclamation dealt with. It is
16 more of an essential economic membership and
17 mandate and doesn't have the scope or the manpower
18 or the mandate to be dealing with in reclamation
19 and closure issues on a monitoring basis.

20 So what I was trying to reflect in that
21 letter is that really, reclamation and closure and
22 all of this is a Water Board process. And if we

23 suggested in our intervention that we believed that
24 the majority of the monitoring and reporting and
25 getting that information back to the community
26 really should follow the proponent. But if the

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1 Water Board believed that something along the lines
2 of a multi-stakeholder committee were required and
3 wanted to take that initiative, then by all means
4 we need to be of the parties involved and are going
5 to be part of that group.

6 But it is not within our mandate as a
7 department to sort of take over the Water Board
8 process and say we are going to do that. We are
9 saying the Water Board feels some things are
10 necessary, yes, we are going to be involved. So it
11 can't really be our initiative, but we would be
12 more than willing to participate.

13 DIONNE FILIATRAULT: Thank you, Mr. Chair.

14 I had one question, verification in a
15 question that was posed by Moses regarding the old
16 landfill site somewhere in the neighborhood of the
17 airports, and DIAND verified that it was not within
18 their jurisdiction. That it would be helpful from
19 the Water Board's perspective to get a little bit
20 more information. And I am wondering if the GN
21 would provide some clarification on this and
22 whether or not they are aware of this particular
23 facility in relation to any potential water issues
24 that would be applied to this site. Can we get
25 clarified potential ownership and remediation?

26 CHAIRMAN: Thank you.

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1 BILL TILLEMAN: Well, Mr. Chairman. While
2 the GN is seeking their documents, they should
3 understand the question to clarify is simply
4 another landfill is an issue with the Board. We
5 need to know if there is anything to know about it
6 all, so if DIAND doesn't know that, GN, so either
7 now or later in the closing, if they have any
8 further information, just let us know, of course.
9 Thank you, that's all.

10 CHAIRMAN: Thank you.

11 MUCKTAR AKUMALIK: First, these people sitting
12 here, they sent me to Yellowknife, so I thank them,

13 when Nanisivik was requesting a license. So we had
14 a meeting in Yellowknife for one day, and I was
15 making a small income from that.

16 First, when the -- before the mine started,
17 we were told that Arctic Bay residents were told
18 that Nanisivik will have contamination. And before
19 the mine started, we were told that after the mine
20 is closed, that they will leave behind
21 contamination, so that's a concern that if we were
22 told that there is going to be contamination after
23 the mine is closed.

24 INTERPRETER: Okay, I'm sorry, he said
25 people did not -- were not told that there would be
26 contamination in the mine, but now they are hearing

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1 that there is contamination now at the mine site.
2 MUCKTAR AMUKALIK: So people's concerns are
3 not being listened to. And water quality is being
4 controlled in that the Water Board has the mandate
5 to protect the fresh water. And government, that
6 they did not tell us what the outcome would be of
7 having a mine. And they only told us the good side
8 of having a mine. We only heard the positive and
9 good parts. And Jim Marshall even joked about
10 having a mine, because they did not mention any
11 concerns. And right now, like, we didn't prepare
12 for houses.

13 Like, we were never told of the negative side
14 of having a mine, but today, after it is closed, we
15 finally realize that there is a problem with having
16 a mine.

17 And hamlet of Arctic Bay mayor and -- are
18 dealing with their houses. And I have been with
19 the local housing authority all my time, so there
20 were ten houses that were moved from Nanisivik to
21 Arctic Bay, and they were given to the local
22 housing authority. And some were sold to private
23 homeowners, and they moved them using heavy
24 equipment. But we didn't know that they were
25 contaminated, so afterwards today there is a big
26 concern over that now, so what will happen to

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1 those? I don't know. Why the housing -- since
2 they sold them is they have -- like, a house right

3 now, right now are fully furnished, and, like, we
4 don't know that there is any contamination in the
5 houses.

6 And there is, you know, there is boards,
7 planks that can be used to make sleds or kumutuk
8 (phonetics) that is used as frames, I guess, that
9 can be salvaged by people and make kumutuk or sleds
10 out of them. There is long planks or beams, I
11 guess, that can be salvaged, and the beams, I
12 guess, of the buildings, the foundation frame is --
13 they would make very good kumutuk or sled.

14 So Inuit are also looking for those material
15 to make sleds or kumutuk. Sometimes then Inuit,
16 they find a short piece of wood, if they could find
17 an extension, that's how desperate they were to
18 make kumutuk or sled. So right now we have all the
19 material available now, but we are not able to
20 obtain them. So we, Arctic Bay residents, are
21 always looking for materials to use and everything.
22 And Nanisivik is right there that we can use, and
23 we can -- people wants to bring materials on their
24 own, but we didn't realize that there would be a
25 contamination issue that would be stopping us. So
26 when we...

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1 There was a meeting in Yellowknife, not
2 regarding Arctic Bay, and NTI and Iqaluit, they are
3 not visible to us in that they are not helping us,
4 that the Nanisivik company is the only one that's
5 trying to help the community. Like, but they
6 haven't said the negative side of having a mine.

7 So I don't know what we will do now because
8 I'm not going to deceive or lie about what I heard.
9 I was sworn in as an Elder committee, and we had
10 the RCMP as a witness, so I have been a JP for more
11 than ten years.

12 And I participate in the judicial
13 proceedings. And recently the judge, I guess,
14 wrote a letter to me asking if I could stay on as a
15 JP.

16 But we are hearing about the negative sides
17 of the mine, who is responsible for that? Who
18 can -- because we are only listening to the
19 negative sides now of the mine.

20 In the past, we were living without

21 materials. We were living -- my own life, my
22 families were hungry, they were without food. And
23 as Inuit, we built houses out of snow. And my
24 mother -- because they didn't have anything to make
25 water, they -- she put snow in the mouths and melt
26 the snow, and she would let me drink water from,

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1 like, that way. And because we were -- I live that
2 way, and while I am still living.
3 I got sick one time, and doctors -- an
4 airplane came in, and doctor was there, he said I
5 would die soon, and the doctor did not send me out.
6 So I am still alive, even though they said I would
7 be dead by then.
8 But right now we are listening to the
9 negatives or the bad side that I don't think the
10 Inuit are being considered. We are hunters. We
11 hunt seals.
12 When I was hunting seal, I jumped across a
13 road and landed badly and injured my hip, so --
14 also during the one incident where we had to go
15 rescue, search and rescue two people, we
16 wouldn't -- near the flowage, and because when we
17 were going along the flowage, there were cracks
18 along, and my snow machine was brand new. And
19 because I was going fast, and I didn't realize
20 there was a crack, and I -- okay, my snow mobile
21 when to the crack and fell in the water. And
22 because I didn't get any compensation for those,
23 and all the --
24 We hear good news, they just talk with their
25 mouth, they don't talk with their mind, they don't
26 talk with their heart, they just talk with their

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1 mouth. They just say good things. And NTI are
2 slowly starting to speak up and starting to feel
3 the people, but they are very slow in starting.
4 And I think when we -- or the Inuit, when they --
5 Nunavut territories fully develop -- we can work
6 together, both not Inuit and Inuit. But now mining
7 companies now, explorations, we are able to
8 communicate with them directly. But those
9 explorers in the future will be consulting us and
10 so that they should be honest and tell us what the

11 bad effects would be and not just tell us the good
12 side of it and inform the people. So these are my
13 concerns.

14 And I am also involved as the JP. I'm not
15 trying to use my position to mention my concerns,
16 but I am saying these things on behalf of the
17 people. Because we have seen materials or wood
18 that we can salvage, that we can use, like, to make
19 sleds.

20 And there were ten units or houses that were
21 moved here, and there is appliances and furniture
22 that were also distributed in the community, so if
23 they are contaminated, then somehow the people are
24 at risk now because they are saying the whole
25 buildings and everything else is contaminated, that
26 means those contaminated items were distributed to

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1 the community.

2 They said we have to wash them and clean them
3 before they are moved here. So, you know, it is --
4 it is possible to cut them in sections, wash them
5 and clean them and put them aside and, you know,
6 for people to salvage.

7 It has been more than two years, HTO did not
8 mention, but it has been more than two years that
9 there is no Norwhales here in the Arctic Bay area,
10 north or south. There used to be a lot of
11 Norwhales migrating to this area along the cliffs.
12 There were a lot of Norwhales, but now there is
13 none of those. It has been more than two years, no
14 Norwhales, and not even an apology for that.

15 And because we hear Nanisivik is all
16 contaminated, and so we didn't realize that there
17 is bad contaminants, that they were showing up.

18 So we want assistance from the Nanisivik
19 company, either through -- from federal government
20 or other agencies, that we want assistance.

21 I also thank the Water Board for one day of
22 work that I got paid in the meeting. So he told me
23 one time that's enough, one day meeting there,
24 although I wanted to continue with the meeting.

25 Thank you. That's it.

26 CHAIRMAN: GN, they are listening and

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1 other agencies are here listening, and NTI is here
2 too.

3 LEAH KALLUK: Last week or so in the
4 newspaper I read that Arctic Bay landfill or sewage
5 was leaking and draining to Strathcona Sound, and
6 it was not a true statement or newspaper article.
7 But, you know, it is not even possible for the
8 sewage to drain to Strathcona Sound, they have to
9 go over the mountain to do that.

10 So the sewage lagoon, it said that it is
11 draining to Strathcona Sound, and some people,
12 although they are stories, they sound reasonable,
13 but they are not always true.

14 And also there is -- the airport is located
15 where the creek is draining to our water lake, and
16 the jet flies over that, and I want the Water Board
17 to consider the coast ocean that -- how much
18 allowing the dock area -- especially around the
19 loading area, how much concentrate have gone into
20 the ocean?

21 And also the ice turned brown or black in the
22 springtime, and the salt water is different than
23 when we were used to, so I think Water Board -- and
24 Levi was the mayor in Grise Fiord one time, and
25 they were -- they were exploring for diamonds and
26 gold in the land area, and hamlet used to get

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1 permits, I guess, letters from the applicants
2 asking for a permit, and the hamlet -- so in the
3 future, during the -- their reclamation work, they
4 inform the Arctic Bay residents how much water that
5 is being used for this summer, let's say for this
6 summer, how much water will be used after that. We
7 don't want any more surprises, that at least tell
8 us how much water was used, if -- so that we know
9 if we are being informed, we could make better
10 decisions. So that's my comment.

11 CHAIRMAN: Let's take 15 minutes to
12 take a break.

13 (RECESSED AT 2:16 P.M.)

14 (RECONVENED AT 2:31 P.M.)

15 CHAIRMAN: We will go off the record
16 here.

17 (DISCUSSION OFF THE RECORD)

18 CHAIRMAN: I would like to reconvene.

19 Mr. Tilleman, I believe you have some things
20 to add?
21 BILL TILLEMAN: Thank you, Mr. Chairman.
22 There are four things. The first one is we have
23 two exhibits that I think we need to file, one
24 would be the e-file of DIAND's presentation today,
25 and the second would be the hard copy of the
26 DIAND's presentation. So the electronic version

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1 would be Exhibit 7, and the hard copy would be
2 Exhibit 8.
3 EXHIBIT NO. 7:
4 DIAND PRESENTATION, ELECTRONIC VERSION
5 EXHIBIT NO. 8:
6 DIAND PRESENTATION, HARD COPY VERSION.
7 BILL TILLEMAN: The second thing I want to
8 know is I would like to -- the staff would thank
9 Mucktar for his comments, the parties -- well, all
10 of the parties. You can see from Mucktar that he
11 was asked to go, and I asked the staff, and that
12 was eight years ago. So that was quite a while
13 ago. So I am glad that he is happy and that was a
14 nice thing to do, and that was eight years ago.
15 The third thing is as we are almost through
16 the list, as you know, sir. And we have
17 Environment Canada and DFO and whoever else you
18 want to call. But also we have Ramli Halim who is
19 with Acres, and I wanted to just ensure the parties
20 here knew that he is an intervener, like other
21 parties. He is not advisor to the Board, he is not
22 with the Board, he is not influencing the Board.
23 So if anyone wants to ask him questions, then he
24 should do that, and he may have something to say,
25 and I'm not sure -- we haven't heard from him yet,
26 so likely we should do that before we end.

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1 And then finally some municipal issues came
2 up that will be dealt with under the municipal
3 water license. And so for those who are worried
4 about that regarding the municipal matters in
5 Arctic Bay, what the Water Board Staff would do
6 would be to offer to meet privately with those
7 people outside of the scope of this hearing and try
8 to answer their questions or resolve their

9 concerns. So we will try to do that as soon as we
10 can, and those are -- those comments, Mr. Chairman,
11 and we can get back.
12 CHAIRMAN: Thank you, Mr. Tilleman.
13 The next intervener is Environment Canada.
14 PRESENTATION BY ENVIRONMENT CANADA:
15 COLETTE MELOCHE: Thank you, Mr. Chairperson.
16 I believe I need to be sworn in by Mr. Tilleman.
17 BILL TILLEMAN: Please state your name for
18 the record and spell your last name.
19 COLETTE MELOCHE: Colette Meloche
20 M-E-L-O-C-H-E.
21 (COLETTE MELOCHE SWORN)
22 COLETTE MELOCHE: Thank you, Mr. Chairperson.
23 My name is Colette Meloche. I am here on
24 behalf of Environment Canada. I am the
25 environmental assessment and contaminated site
26 specialist for Nunavut.

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1 Rather than reading our entire written
2 submission into the record, I will just focus on
3 the highlights and present those to the Board.
4 Our intervention focuses on the
5 implementation of a long-term water quality
6 monitoring program for the site and ensuring
7 appropriate disposal of federally regulated
8 materials.
9 Just so everyone is aware of the role that
10 Environment Canada plays in these hearings, the
11 operations out of the Nanisivik mine are subject to
12 the following statutes which are administered by
13 Environment Canada, those are Section 36.3 of the
14 Fisheries Act, the Canadian Environmental
15 Protection Act, the Migratory Birds Convention Act,
16 the Canada Wildlife Act.
17 Nanisivik mine is also currently captured by
18 the Metal Mining Effluent Regulations, under the
19 Fisheries Act.
20 And CanZinco has applied for recognized
21 closed mine status under this regulation, so,
22 therefore, it will be captured by the Metal Mining
23 Effluent Regulation until at least July 30th of
24 2006. And at that time, recognized closed mine
25 status will be granted if the mine has fulfilled
26 all of the necessary requirements. And once this

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1 status is obtained, the effluent from the site will
2 be subject to the general provisions of the
3 Fisheries Act.

4 Through the course of the review of the
5 reclamation and closure plan, Environment Canada
6 has had the opportunity to identify many of our
7 concerns, either directly to the proponent or
8 through technical sessions that have been arranged
9 by the Board. And as a result of these
10 interactions, it has been able to conclude that the
11 majority of our concerns have been addressed.

12 We do have the following remaining
13 outstanding issues that we would like to bring to
14 the attention of the Board for consideration for
15 your terms and conditions for the water license.
16 In regards to monitoring, Environment Canada is
17 pleased to hear yesterday that CanZinco is willing
18 to treat the monitoring plan as a living document.
19 We find that this is critical to ensuring the
20 effectiveness of the monitoring plan. And we
21 recognize that the Water Board notes in the license
22 that the length of the closure portion of the
23 monitoring plan may change, based on the results of
24 ongoing monitoring.

25 In regards to monitoring at the landfill, now
26 a written intervention which we have submitted to

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1 the Board, we recommended that during the
2 reclamation period, the hydrocarbon parameters of
3 BTEX, B-T-E-X, and the effluent F4 compounds be
4 monitored on a weekly basis at three different
5 locations, the NML-26, NML-30 and NML-29, as in
6 their plan, CanZinco did not indicate frequency or
7 sampling locations for these parameters. However,
8 as CanZinco has indicated in their response to
9 Water Board staff questions, they are currently
10 proposing to monitor every two weeks for these
11 parameters at NML-26 monitoring station.

12 Environment Canada is satisfied with this
13 monitoring frequency of every two weeks. We find
14 that that would be sufficient for our concerns,
15 rather than every week as we originally proposed.
16 However, we do still recommend that the two other

17 locations that we identified, MNL-30 and MNL-29,
18 also be monitored. We feel it is necessary in
19 order to indicate if there is any movement of
20 hydrocarbons from the landfill, especially until
21 the permafrost has developed in the landfill
22 itself.

23 Also, as CanZinco is currently proposing to
24 monitor for other parameters at these stations on
25 an every two-week basis, we don't feel that
26 monitoring for these parameters as well would be

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1 overly onerous for the company.

2 In regards to monitoring at Kuhulu Lake, we
3 are very pleased to see that they have taken our
4 recommendations that we have put forth in our
5 written intervention and have agreed to annual
6 monitoring for total metals, total suspended
7 solids, pH and conductivity effluent.

8 In regards to federally regulated materials,
9 Environment Canada is currently aware that there
10 are five active transformers at the Nanisivik mine
11 site. And in their presentation yesterday,
12 CanZinco indicated that the active PCB transformers
13 have been purchased by Wolf Den Resources, will be
14 shipped to their site in 2006.

15 We do request confirmation that the
16 transformer underground is removed prior to the
17 portals being sealed, as the sealing of the portals
18 hasn't been -- or at least it wasn't noticeable in
19 the schedule that had been put up during the
20 presentation. So if there are plans to seal the
21 portals earlier than when the transformer is to be
22 shipped off-site, Environment Canada requests that
23 CanZinco begin discussions with us to ensure that
24 the underground transformer is properly stored in
25 the interim.

26 We also request confirmation as to whether

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1 the underground transformer is still in use, as it
2 has been the understanding of some Environment
3 Canada stock numbers that was dedicated to the
4 underground pressure. If it isn't in use, we
5 recommend that it will be removed from the
6 underground transformer and to make it accessible

7 in testing the soils. And to ensure this, we
8 further recommend that the Board instruct CanZinco
9 in their license to ensure that the access to the
10 underground transformer is not blocked during the
11 course of the reclamation work.

12 We also request that any information
13 regarding the presence of PCB light ballasts
14 on-site be provided, and that CanZinco confirm how
15 these materials will be disposed of.

16 So, in summary, Environment Canada is very
17 pleased with the substantial progress that has been
18 made with the reclamation project closure plan at
19 the Nanisivik mine site.

20 And we would like to thank the Water Board
21 for the opportunity to come before you and make
22 these recommendations. We hope that they are of
23 some use to you during the decision-making process.

24 Thank you.

25 CHAIRMAN: Thank you.

26 Are there any questions from the applicant to

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1 Environment Canada?

2 BILL HEATH: We are fine. Thank you,
3 Mr. Chairman.

4 CHAIRMAN: Thank you.

5 Are there any questions from Arctic Bay to be
6 addressed to Environment Canada about their
7 presentation? Thank you.

8 Are there any questions from NTI to be
9 addressed to Environment Canada over their
10 presentations?

11 GEORGE HAKONGAK: No questions, Mr. Chairman.

12 CHAIRMAN: Thank you.

13 Any questions from INAC?

14 CARL McLEAN: No questions, Mr. Chairman.

15 CHAIRMAN: Thank you.

16 Are there any questions from DFO?

17 DERRECK MOGGY: No questions, Mr. Chairman.

18 CHAIRMAN: Thank you. Any questions
19 from Acres International?

20 RAMLI HALIM: Mr. Chairman, there is no
21 questions.

22 CHAIRMAN: Thank you.

23 Are there any questions from GN?

24 SUSAN HARDY: No. Thank you, Mr. Chair.

25 CHAIRMAN: Thank you. Are there any
26 questions from the general public to be addressed

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1 to Environment Canada about their presentation?
2 Are there any questions from the Nunavut
3 Water Board to be addressed to Environment Canada?
4 BILL TILLEMAN: Thank you, Mr. Chairman.
5 No questions.

6 It is just that over the last break, the
7 issue of the landfill site, no one apparently knew
8 where it was at. It has been somewhat identified.
9 It is now located on the map. And I just recommend
10 that we file the map as an exhibit. I haven't seen
11 it yet. It is just now being passed over here. So
12 what I would propose is that we actually, during
13 the next break, get this to all the parties, let
14 them look at that map, and if there are any values
15 to it, I don't know right now because I haven't
16 seen it. But subject to hearing from the parties
17 on that, that would become Exhibit Number 9. So as
18 the staff, we have no questions. We have no
19 questions for Environment Canada. But we will get
20 a copy of this exhibit.

21 EXHIBIT NO. 9:

22 MAP IDENTIFYING ABANDONED AIRPORT LANDFILL

23 CHAIRMAN: Thank you, Mr. Tillemann.

24 Thank you, Ms. Meloche.

25 CHAIRMAN: Next I invite DFO to make
26 their presentation.

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1 DERRECK MOGGY: Do I need to be sworn?

2 BILL TILLEMAN: Please state your name for
3 the record and spell your last name.

4 DERRECK MOGGY: Derreck Moggy, M-O-G-G-Y.
5 (DERRECK MOGGY SWORN)

6 PRESENTATION BY DFO:

7 DERRECK MOGGY: Thank you, Mr. Chairman and
8 Nunavut Water Board for allowing DFO an opportunity
9 to do our presentation.

10 In reviewing the closure plans CanZinco has
11 presented, our issue was the impact of fish and
12 fish habitat, including dilatory substances,
13 specifically sediment, that water quality issues on
14 the topic by Environment Canada and some other

15 agencies as well.

16 Additionally, I would like to provide an
17 update in terms of the DFO lands that are owned in
18 the docking area and by those out at the tank farm
19 where the concentrates shed is, the storage areas.

20 This is just a note, I guess, before I start,
21 with respect to the activities in the closure plan,
22 just to summarize that there hasn't been any fish
23 identified in those two -- in East Twin and West
24 Twin Lakes, and because of several significant
25 barriers along the creek, fish probably aren't able
26 to access very far up, so as a result, our concern

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1 would relate more to the activities in the creek
2 that would generate sediment and be discharged to
3 the Strathcona Sound or East Twin or the Twin Lakes
4 downstream.

5 Therefore, the following parts are my
6 recommendations to the Board: With respect to some
7 of the restoration activities, specifically west
8 rock pile, west open pit and west adit roadway,
9 some of the activities in and around those areas
10 are adjacent to the creek and have the potential to
11 generate sediment. However, there can be measures
12 that can be incorporated, plans to prevent the
13 release of that sediment and get into the creek.
14 They would be based on site-specific measures.

15 And with respect to some of the other ones,
16 the west open pit is actually an area with waste
17 rock that will be pulled out of there, although not
18 all of it. And the water quality in that area,
19 general physical stability will be monitored. I
20 guess my only recommendation was that there be
21 enough time provided in the year to get in there
22 and make any adjustments if necessary. I suppose
23 if you wait too long in the year and then have to
24 wait until the next year.

25 The other aspect was that in the west open
26 pit, if there was a contingency, in the unlikely

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1 event that the remaining material would have to be
2 removed, then there was consideration for access
3 road down into the creek, and I am just
4 recommending that plans for that be sent around to

5 the agencies, specific DFO, to ensure that
6 mitigation measures incorporated into the plan
7 would produce the generation of sediment.

8 With respect to the road construction as
9 well, just is a big note that there were roads that
10 were necessary in the area, and in the future, for
11 any use, that it should be removed as part of the
12 plan, that that be done in such a manner as they
13 can reduce the generation of sediment into the
14 creek. And furthermore, that the area be restored
15 so that the long-term stability of the banks would
16 be considered back then.

17 And I understand that there may be some types
18 of crossings that might be necessary for the
19 community, and, again, I believe that they are
20 published options that would design something that
21 would allow the crossings, so that would be my
22 recommendation to address that.

23 I did have a bit of a concern, I guess, with
24 Twin Lakes sand and gravel. Initially, my -- I
25 noted that the boundaries came across the creek, a
26 feeder creek in East Twin Lake, and given that

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1 comment that CanZinco has warranted some grounds,
2 that was basically it, not having the quarry get
3 into the creek to generate sediment further down
4 stream. So basically boundaries of all the new
5 quarries should try to avoid all water bodies, not
6 just that one feeder.

7 With respect to the East and West Twin
8 disposal area, there will be some work done to the
9 outlet channel at East and West Twin to ensure the
10 long-term stability. Again, doing the work in and
11 around that section, the water has potential to
12 generate sediment. And so there are measures to
13 deal with that.

14 And I did comment on the control structure
15 and the Dike. The stability needs to be
16 demonstrated that beyond the monitoring period, we
17 are concerned that they may fail and tailings and
18 other sediment be generated back down there.

19 With respect to the monitoring plan, there is
20 an environmental effect monitoring plan that
21 Environment Canada had mentioned, and how we look
22 at the water quality impacts with the water

23 species. If there is a creek down into Strathcona
24 Sound. The only other aspect that I wanted to add
25 was, again, the physical stability will be
26 monitored, and efficiencies will be addressed. It

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1 is recommended that the efficiencies be reported to
2 the Water Board as soon as possible, so that the
3 opportunity to fix the problem would be immediate.

4 So the other aspects I wanted to provide an
5 update on the dock area as well. DFO has a dock
6 area. And we are having some discussion with
7 CanZinco early next week to discuss the terms and
8 conditions based on the closure plan and some of
9 the new items that came up specifically about a
10 week or so ago.

11 Some of the -- there was consideration, at
12 one point, of the tank farm to potentially be used
13 by the third party. I understand that is probably
14 not going to happen, but the timing, depending when
15 that will end. We just have to clarify with these
16 points and one other point.

17 Oh, the other aspect was the long-term use of
18 the dock and the marina. It is kind of based or
19 anticipated that would be industrial-type use area.
20 I don't know if that is going to continue on to be
21 the case or not, so that might -- may be
22 rediscussed again next week if that's an
23 appropriate level of cleanup in that area.

24 So, in summary, for the most part the closure
25 plan looks reasonable to DFO. However, there will
26 be some discussions with respect to the land lease

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1 area in terms of what the appropriate level of
2 cleanup will be and if there is any additional work
3 that needs to be done and any other additional
4 monitoring that might occur.

5 And one other aspect that I just wanted to
6 note that some of the shoreline along the dock
7 areas, the lands there should -- our
8 recommendation, again, would be that it is stable
9 for the long term.

10 Thank you, Mr. Chairman.

11 CHAIRMAN: Thank you.

12 Any questions or comments from the applicants

13 addressed to DFO?
14 BILL HEATH: We have no questions, Mr.
15 Chairman.
16 CHAIRMAN: Thank you.
17 Any questions or comments from Arctic Bay to
18 address to DFO?
19 ARCTIC BAY QUESTIONS DFO:
20 Q NIORE IQALUKJUAK: Yes. I am the mayor of
21 Arctic Bay.
22 My question to DFO in the Arctic Bay area, in
23 the ocean, have they been studied if there is any
24 impacts from the mine operation, the oceans around
25 Arctic Bay area?
26 A DERRECK MOOGY: I'm not aware of any

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1 studies we have done in the Arctic Bay area. I
2 think there is a brief report around Strathcona
3 Sound on that basis of previous work that was done,
4 but nothing in Arctic Bay.
5 Q Since there is no studies, can -- is it possible to
6 do a study in Arctic Bay area to make sure that the
7 marine environment is not impacted?
8 A I can't answer that right now. I can take it back
9 and consider that with appropriate people in my
10 office as a possibility and see if there has been
11 any in the past as well.
12 Q The dock area, when will you know what will happen
13 to the dock facility?
14 A Next week we are having a discussion with CanZinco.
15 The people in our office will, after the lease
16 aspect between CanZinco and DFO, we will sit down
17 and discuss how that will play out and also try to
18 determine what the likelihood is for the dock and
19 marina facility, what's the long-term plan of the
20 dock.
21 Q So if there is a decision of exactly what will
22 happen, can you inform the people of Arctic Bay
23 your decision?
24 A Yes.
25 CHAIRMAN: Any questions to DFO?
26 Q KOONOO OYUKULUK: HTO representative.

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1 DFO, I have never seen them doing discoveries
2 in Nanisivik area. And my question -- and I'm not

3 aware of any activities being done by DFO, so my
4 question is DFO -- DFO is responsible for marine
5 life. My question is related to Kuhulu Lake fish,
6 have you done any studies in Kuhulu Lake?
7 A DERRECK MOGGY: I am not aware of any
8 studies that was done specifically with Kuhulu
9 Lake. I can check and get back to you if there has
10 been any done in the past, but I am not aware of
11 any right now. I know that there has been some
12 information from other sources, but specifically as
13 to what went on...
14 Q My question is related to that before the mine
15 started, there used to be fish in that lake with --
16 you know, and we used to catch the fish in Kuhulu
17 Lake, and right now there is hardly any fish there,
18 so that's why I want a study to be done, because
19 there is less fish. And we would like to go
20 fishing in that lake on the ice. Sometimes the
21 women, they go very early in the morning to go
22 fishing, so right now even the women that go early
23 in the morning, they can't catch any fish, so I
24 think there is a change. So I suggest that DFO do
25 a real study.
26 CHAIRMAN: Thank you. Any questions

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1 or comments from NTI to be addressed to DFO?
2 GEORGE HAKONGAK: No questions, Mr. Chair.
3 CHAIRMAN: Any questions or comments
4 from GN to be addressed? Thank you.
5 Any questions or comments from INAC?
6 CARL McLEAN: No questions.
7 CHAIRMAN: Environment Canada?
8 COLETTE MELOCHE: No questions.
9 CHAIRMAN: Acres?
10 RAMLI HALIM: No questions, Mr. Chairman.
11 CHAIRMAN: Dionne?
12 WATER BOARD STAFF QUESTIONS DFO:
13 Q MS. FILIATRAULT: Thank you, Mr. Chairman.
14 Just a point of clarification that you also
15 had a map showing your lease boundaries?
16 A DERRECK MOGGY: Yes, it is just basically
17 the boundaries of the leases are DFO and CanZinco.
18 MS. FILIATRAULT: Thank you.
19 CHAIRMAN: Thank you.
20 BILL TILLEMAN: Mr. Chairman, I think that

21 would be meant that that would be marked as number
22 10.
23 EXHIBIT NO. 10:
24 CANADIAN COAST GUARD NANISIVIK LEASE
25 L-9195300 MAP
26 CHAIRMAN: Number 10, okay. Thank

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1 you. Thank you, so much.
2 DERRECK MOOGY: Thank you, Mr. Chairman.
3 CHAIRMAN: Next intervener is Ramli
4 Halim from Acres International.
5 BILL TILLEMAN: Please state your name for
6 the record and spell your last name.
7 RAMLI HALIM: Ramli Halim, H-A-L-I-M.
8 (RAMLI HALIM SWORN)
9 RAMLI HALIM: Mr. Chairman, members and
10 staff of the Nunavut Water Board, Mr. Iqalukjuak
11 and residents of Arctic Bay, thank you for an
12 opportunity to make my presentation here today.
13 My name is Ramli Halim. I work for Acres
14 International Limited. I am a mechanical engineer
15 and have been in practice for more than 20 years,
16 and I would -- Acres is an engineering consultant
17 company retained by the Board.
18 Before going into my main presentation, I
19 would like to provide an introduction about the
20 Nanisivik closure and reclamation plan, a final
21 copy of which was submitted earlier this year.
22 As we have heard from other presentations
23 today and yesterday, the plan contains the
24 components as shown in this slide.
25 The main report, referred to as Item G-3 of
26 the plan, brings together the eleven components of

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1 the plan.
2 I would like to bring a little background
3 history about the plan and how the process has
4 taken place in these past two and a half years.
5 The plan was originally presented by the Nanisivik
6 mine in February 2002, after a decision back in
7 August 2001 that they were going to close the mine
8 permanently in October of that year. The review
9 process for the plan was ongoing since the first
10 submittal of the documents.

11 A pre-hearing was held in June 2002 and a
12 public hearing the following month. Technical
13 meetings were subsequently held to review and
14 provide directions, to fill the data gap, to refine
15 and finalize the plan. These meetings were held in
16 Iqaluit, in Calgary, Ottawa and just recently in
17 Yellowknife.

18 The Yellowknife technical meeting was held
19 last month after the Nanisivik submitted their
20 final closure and reclamation plan.

21 As a summary, the final closure and
22 reclamation plan was submitted two and a half years
23 since its first interim plan was presented in 2002.
24 There have been four technical meetings since then.

25 Besides Nanisivik mine, the regulators and
26 other parties have been involved in reviewing

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1 process, which included the people from Arctic Bay,
2 Nunavut Water Board, DIAND, Government of Nunavut,
3 Environment Canada, DFO and NTI.

4 The plan has brought a pool of technical
5 consultants across Canada. I hope I have included
6 all of them here. There are also other experts,
7 such as Dr. Bo Eberling from the University of
8 Copenhagen and others who had been carrying on
9 studies and worked in the Nanisivik area.

10 The following shows what has been achieved in
11 the review process for the plan. Most of the field
12 activities were completed, including the Phase 2
13 and Phase 3 Environmental Site Assessment,
14 additional geotechnical investigations for the
15 taliks, quarry sites, spillways, hydrogeological
16 study of the West Twin Dike area, geochemical
17 study, Human Health Ecological Risk Assessment and
18 many others.

19 They established the design criteria and
20 guidelines for the studies, which need to be
21 completed for the plan.

22 They completed the design work for the
23 various components of the plan. And, finally, the
24 final plan is generally ready for its
25 implementation.

26 A general consensus after the technical

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1 meetings about the final plan is that the design
2 work is completed, proposed activities have been
3 presented; contingency plans were developed and
4 placed. Long-term plan for the closure and
5 reclamation are now more or less laid out, which
6 include the critical instrumentation and monitoring
7 to observe how well the plan will perform in the
8 coming years.

9 The following slides contain some comments on
10 remaining issues that need to be addressed. They
11 should not, however, prevent the process from
12 moving ahead into the implementation stage. In
13 addition, Nanisivik mine has made commitments to
14 resolve most of the issues in the following slides
15 in their letter dated May 14th, 2004 and in their
16 presentation yesterday.

17 There are other comments and many issues, the
18 first one is about details on their plan to carry
19 out closure and reclamation activities. It is
20 important that there is a master plan to fit in all
21 their activities together. A schedule is useful as
22 it helps the mine to organize their work. It helps
23 the regulators to plan their activities such as
24 inspection approvals, help to understand the master
25 plan for the commissioned work, provide a clear
26 picture of all the reclamation activities and shows

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1 time lines for all the activities.

2 In their presentation earlier yesterday,
3 Nanisivik mine finally showed a master schedule for
4 the closure and implementation plan. Subject to a
5 final review, this will certainly answer all of our
6 questions about the implementation details of the
7 Nanisivik mine closure plan.

8 The second issue or comments is about the
9 duration of how the plan will be executed.

10 Yesterday we heard from Ms. Hardy from the
11 Government of Nunavut about their plan. And in
12 terms of the timing, the important part, I believe,
13 is it has to be an open-ended process in terms of
14 the timing of the plan, should be performance
15 driven, which has the following mechanisms for
16 check and balances to see whether the plan would
17 work well or not.

18 In addition, the contingency plans must be in

19 place to take any immediate action to correct any
20 problems that developed during the closure and
21 reclamation periods.

22 The third comments about the plan is a
23 clarification about the cover thickness required
24 for remediation work outside the areas of the
25 tailings, waste rock, open pit and the landfill
26 sites. This issue deals with handling of the

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1 reclamation work in the industrial areas, the dock
2 areas, the townsite, the land farm and other
3 various places.

4 Until their presentation yesterday, I have
5 not seen a specific statement to the cover
6 thickness, particularly if we will be dealing with
7 some excavation to clean up part of the area as per
8 confirmatory sampling requirements.

9 It would be a very good idea to have a site
10 map which shows all of the existing structures,
11 show areas which will likely need excavation based
12 on Phase 2 and Phase 3 ESA, and show areas which
13 will need additional excavation for hot spot, if
14 required by a confirmatory test on the underlying
15 contaminated soil.

16 We will be basically more in the
17 implementation stage so the detail has to go fairly
18 clearly in terms of structure by structure, not
19 just the area.

20 The following two areas, the taliks and
21 underground mine/portal areas, should emphasize on
22 the importance of proper and adequate
23 instrumentation, monitoring and inspections.

24 Nanisivik mine has made a commitment to
25 obtain further information to ensure that the mine
26 portals, opening and underground mine will be

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1 stable. Warning signs, as well as visual
2 inspections, should be included in the plan for
3 these areas.

4 The long-term performance of the taliks under
5 the tailings should also be addressed for the West
6 Twin Dike area.

7 It is time now to move forward with closure
8 and reclamation work. Again and again, as shown in

9 the previous slides, instrumentation and monitoring
10 are required to check the effectiveness of the
11 remediation work. They also provide direction and
12 indication whether we are going on the right track.

13 Nanisivik mine should consider seriously on
14 the comments made by DIAND in their compliance
15 reports. Efforts should be made to get adequate
16 instrumentation in place and to get a proper
17 monitoring program running on a timely and
18 efficient manner.

19 The residents of Arctic Bay ask about their
20 involvement of this part of the work, as there will
21 be no more Nanisivik staff on-site after closure
22 work is complete. Training to monitor the
23 instruments cannot be done in a short time. It
24 needs direction, experience and commitment to do
25 the work.

26 And finally, the contingency plans need to be

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1 considered during the monitoring process in case
2 some actions need to be done. G-9 report on
3 monitoring addresses most of these plans already.

4 Just some comment about the Human Health and
5 Ecological Risk Assessment. As part of Acres' team
6 to view the HHERA, Dr. Bryan Leece and Dr. Ulysses
7 Klee, both of Dillon Consulting, carried out the
8 peer review and were involved in the discussion
9 process and technical meeting in Ottawa last year.

10 If there is any questions or queries
11 specifically related to this issue or our review of
12 the HHERA, I will gather these questions and
13 hopefully Dr. Bryan Leece will be able to address
14 them through a teleconference, if necessary.

15 The next slide contains issues that are
16 related to the industrial dock, the townsite and
17 mine access roads.

18 To clarify the closure and reclamation work
19 in this area, again, maps showing areas affected by
20 the remediation work, including details on the
21 proposed work, will be helpful.

22 Just to follow Nanisivik letter dated May
23 14th and Nanisivik presentation yesterday, the
24 reclamation work in the east adit treatment
25 facility needed to be put into the greater picture
26 of the plan, i.e., its implementation schedule.

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1 The contingency plan needs to be put in
2 place, as this area may be reclaimed after the
3 closure period is complete. Again, the water
4 quality monitoring and their records may be able to
5 tell us on time when this will happen.

6 The last issue is about Strathcona Sound.
7 Jacques Whitford carried out some sampling in the
8 dock area last year. Similar programs should be
9 included in the future and within the proposed
10 reclamation period.

11 We have to realize that the sediments that
12 went into the Sound are likely now in deep waters,
13 over 50 metres deep. I strongly believe that
14 trying to further disturb the sediment may do more
15 damaged or impose greater risk to the environment.

16 Finally, I believe that the plan has provided
17 us with a good map to carry out the closure and
18 implementation plan. In this public hearing, we
19 hope that this presentation will provide assurance
20 to the residents of Arctic Bay about the technical
21 efforts that have been put in place for this plan.
22 Now, if there is any question or comments?

23 CHAIRMAN: Thank you, Ramli.

24 Any questions from the applicant, please?

25 APPLICANT QUESTIONS ACRES INTERNATIONAL:

26 BILL HEATH: Thank you, Mr. Chairman.

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1 Just one point of clarification, and on the
2 risk of being picky, but this does form part of the
3 official record, so we thought we would just
4 clarify one slide that Bob had had. And that was
5 the announcement to advise people of the closure in
6 Nanisivik came in September of 2001, but the final
7 closure didn't come until September 30th, 2002.
8 And other than that one point of clarification, we
9 are fine, Mr. Chairman.

10 RAMLI HALIM: Yeah, I guess if that's a
11 mistake of the timing.

12 CHAIRMAN: Pardon me?

13 RAMLI HALIM: That's a mistake on my
14 behalf, I made it of the timing, but that should be
15 corrected for later. Thank you.

16 CHAIRMAN: Are there any questions or
17 comments from Arctic Bay hamlet? Thank you.

18 NTI?
19 GEORGE HAKONGAK: No questions, Mr. Chairman.
20 CHAIRMAN: GN? GN? Any questions or
21 comments?
22 SUSAN HARDY: No, thank you, Mr.
23 Chairman.
24 CHAIRMAN: Thank you. INAC?
25 MR. McLEAN: No questions, my lord.
26 CHAIRMAN: Environment Canada?

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1 COLETTE MELOCHE: No questions.
2 CHAIRMAN: DFO?
3 DERRECK MOOGY: I have no questions, Mr.
4 Chairman.
5 CHAIRMAN: General public?
6 Okay. Questions or comments from the Water
7 Board staff?
8 DIONNE FILIATRAULT: No questions.
9 CHAIRMAN: Thank you.
10 Okay. Thank you. We will break for 10
11 minutes for the interpreter. Thank you.
12 (RECESSED AT 3:16 P.M.)
13 (RECONVENED AT 3:37 P.M.)
14 CHAIRMAN: Okay. Mr. Tilleman?
15 BILL TILLEMAN: Thank you, Mr. Chairman.
16 And so what I would like to do is just
17 continue with these exhibits.
18 I can confirm that I spoke with the
19 interveners regarding the map which we propose as
20 Exhibit Number 9. The approximate location of the
21 abandoned airport landfill as identified by Moses.
22 And so 10, then, we have already done, the
23 DFO document which is the Coast Guard Nanisivik
24 Lease.
25 We propose that Exhibits 11 and 12 in that
26 order be first the electronic version of the Acres

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1 International presentation, that would be 11, and
2 number 12 will be the hard copy.
3 Thank you, sir.
4 EXHIBIT NO. 11:
5 ACRES INTERNATIONAL PRESENTATION,
6 ELECTRONIC VERSION
7 EXHIBIT NO. 12:

8 ACRES INTERNATIONAL PRESENTATION, HARD
9 COPY VERSION

10 CHAIRMAN: Thank you.

11 Okay. We are at number 12, we are here to
12 talk about the water-related matters, and we heard
13 different issues. Buildings or health issues are
14 not related to Water Board, so any issues should be
15 directed to the appropriate departments, such as
16 the GN, and that we are here to listen to the
17 applicants. And that if we have not heard any
18 other concerns, because we already heard comments
19 and concerns, so anything related to water license?

20 And when you go to the microphone, state your
21 name.

22 Any other comments related to water license?

23 Okay. There was no response with regards to item
24 12, so I believe that we can skip item 13,
25 questioning of the other persons, associations,
26 agencies, as there was no response to items 12.

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1 Okay. We will move on to Item 14: Closing
2 remarks of the interveners. If I can start with
3 Arctic Bay, closing remarks?

4 As for your information, would you prefer to
5 come last? With regards to closing remarks, would
6 you prefer to come in last?

7 NIORE IQALUKJUAK: Yes, okay.

8 CHAIRMAN: Thank you.

9 Okay. Any closing remarks from NTI?

10 CLOSING REMARKS BY NTI:

11 GEORGE HAKONGAK: Thank you, Mr. Chairman.

12 First of all, I would like thank the Nunavut
13 Water Board for allowing NTI to voice their
14 concerns. Also, the hamlet of Arctic Bay and the
15 school for the use of the gym. Thank you to
16 CanZinco for lodging, meals and transportation
17 during our stay. In closing, thank you to the
18 residents in voicing their concerns. And last but
19 not least, thank you to the caterers and to the
20 interpreter.

21 And before I close off here, Dionne had asked
22 me a couple of questions earlier on today, and I
23 would just like to answer those one at a time.
24 There was among various speakers after NTI, so
25 forgive me.

26 In regards to the teardown on the part of the

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1 GN's responsibilities, from listening to the GN's
2 presentation, I am willing to let this issue go as
3 it is going to become responsive to the GN, and it
4 is going to be a huge expenditure and not part of
5 the interest in stepping in as well. I work for
6 The Department of Lands and Resources, so that is
7 out of my scope of responsibility.

8 And the second question was about specifics
9 about sampling sites and monitoring sites. After
10 reading the CanZinco submission, after rereading
11 it, the water quality monitoring and intake
12 facility, monitoring at the cover for seepage, I
13 was reading page 76 that refers to increased
14 frequency of sampling and monitoring in the event
15 of erosion or seepage, so that's -- answers my
16 question.

17 And also during the closure period,
18 monitoring with discreet visits, one point is that
19 there were training and technical assistance from
20 Arctic Bay. And if CanZinco can train someone
21 fully, then discreet visits would become bi-weekly
22 or monthly visits to water quality monitoring, as
23 well as the monitoring. Also, soil sampling around
24 the tailings facility concentrates storage areas.

25 I think the most important areas to monitor
26 are also the West Twin reservoir, I think it is

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1 station number 159-6, and also at the east adit
2 treatment facility, station number 159-12, I think
3 these are too important as they flow into several
4 areas, and to my understanding, eventually into
5 Strathcona Sound. And it would be especially in
6 the spring and summer that monitoring and samples
7 take place. And as we know, weather changes are
8 very unpredictable. When the season changes,
9 naturally it is different.

10 West Twin Lake Dike geothermal monitoring is
11 specific after rereading the proposal.

12 That's all that I have. Thank you, Mr.
13 Chairman.

14 CHAIRMAN: Thank you very much,
15 George.

16 Okay. Any closing remarks from GN, Susan
17 Hardy?

18 CLOSING REMARKS OF THE GN:

19 SUSAN HARDY: Thank you, Mr. Chair.

20 The closure and reclamation plan, including
21 the recent commitments that you have heard
22 discussed earlier, represents, in our view, a sound
23 process for the reclamation.

24 We wanted to thank the Board and our
25 colleagues who have been participating in the
26 opportunity of the technical discussions and to a

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1 point of consensus that have been reached on the
2 closing reclamation plan.

3 And we want to commend the mine for a sound
4 response that has taken them a lot of effort in
5 this final stage of operation.

6 We are wanting to be clear that we are
7 willing to support the issuance of a water license
8 for this reclamation to begin. The scheduling for
9 this summer is a schedule we are in agreement with.

10 And our total consent, in terms of the technical
11 reports, includes the Human Health and Ecological
12 Risk Assessment.

13 The question of the landfill at the airport
14 is not an important point for your license, but it
15 was -- we were asked to address it now.

16 DIAND did transfer a parcel of land to the
17 territorial government that is for where the
18 airport is located, so it is our job to look for
19 any indication of that landfill being on the land
20 that they transferred to us, and we will do that.

21 If there is a landfill on land that's been
22 transferred to the GN, we will do our job, which is
23 to respond to that quickly. That wouldn't be part
24 of the mine reclamation proper, it is on different
25 land.

26 With regard to the meetings that -- the

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1 concerns the community has raised, you will see
2 that the Government of Nunavut came to this hearing
3 with a large team. Many of these people will be
4 reporting back to their senior officials in the
5 government when they return. And we will be

6 remaining behind after the hearing closes. When
7 you conclude the hearing, Mr. Chair, for another
8 period of time so if the community has questions or
9 comments they wanted to convey to us to take back,
10 we are happy to do that. So we will stay after the
11 hearing is formally closed by you to do that.

12 The community should also be aware the MLA
13 made a strong statement in the House about his
14 concerns about Arctic Bay, and that the long-term
15 planning for the community should be very strongly
16 focussed on here by our experts, so that's another
17 area that we will be following with the community.

18 I mentioned before that we have actually been
19 given a time limit for working out the details of
20 the long-term response to the needs of Arctic Bay.
21 And there is a plan to have a meeting July 10th to
22 get community input about that.

23 If the community meets us with questions this
24 afternoon, we will try to get them their answers
25 before the meeting happens in July.

26 So, again, thank you. We are glad to be able

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1 to be here to support the beginning of a
2 reclamation process that will be successful. And
3 if there is anything more we can contribute to help
4 you with the decision, please just let us know.

5 CHAIRMAN: Thank you, GN.

6 Closing remarks from INAC?

7 CLOSING REMARKS OF INAC:

8 STEPHANIE HAWKINS: Thank you, Mr. Chairman.
9 I'm Stephanie Hawkins from INAC.

10 In closing, INAC would like to reiterate the
11 fact that this process, the reclamation and closure
12 plan, the develop process has been interactive and
13 has been done on a cooperative basis with the
14 involvement of many parties.

15 We have come a long way from two years ago,
16 and we are very satisfied with the process to date.
17 And as such, we have only two remaining comments in
18 addition to those already presented. The first is
19 in regard to the recreational roads, we believe
20 that without the agreement of the Government of
21 Nunavut to take responsibility for maintenance and
22 repair, these roads should be reclaimed by the
23 reclamation and closure plan.

24 The second is that if any Government of
25 Nunavut facilities or infrastructure are to be
26 reclaimed, this work should either fall under the

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1 existing water license, or if it does not or
2 cannot, that a new water license application should
3 be filed.

4 So, in closing, the proponent in the meeting
5 in Calgary in 2002, made a commitment to undertake
6 a number of technical studies. And they have met
7 and achieved all of these commitments made at that
8 meeting, and they are to be commended for their
9 efforts in this regard.

10 And so, finally, INAC would like to thank the
11 Water Board, the community of Arctic Bay, the
12 proponent and all of the parties that were involved
13 in bringing the process to this point. Thank you
14 very much.

15 CHAIRMAN: Thank you.

16 Closing remarks from Environment Canada?

17 CLOSING REMARKS OF ENVIRONMENT CANADA:

18 COLETTE MELOCHE: Thank you, Mr. Chairman.
19 Colette Meloche with Environment Canada.

20 In closing, Environment Canada would like to
21 recommend that CanZinco provide a written
22 commitment to all of the issues that have not been
23 resolved, including those that were resolved at the
24 technical meetings in Yellowknife, and the
25 responses to the various information requests that
26 have resulted from the technical meetings and at

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1 this hearing.

2 Environment Canada requests that the
3 interveners take an opportunity to review this
4 submission for accuracy as well.

5 Environment Canada is also satisfied with
6 CanZinco's submitting an addendum to the various
7 reports, rather than a revised reclamation plan.
8 And we would also like to see the executive
9 summaries updated, as well as their translations.

10 And we, again, the same as INAC, would like
11 to commend CanZinco for all the work that has gone
12 into the reclamation and closure plan.

13 And I would like to thank the Water Board to

14 allow us to present our recommendations to you.
15 Thank you.
16 CHAIRMAN: Thank you.
17 Closing remarks from DFO?
18 CLOSING REMARKS FROM DFO:
19 DERRECK MOOGY: Thank you, Mr. Chairman.
20 Derreck Moggy, Fisheries and Oceans.
21 Mr. Chairman, Board, Arctic Bay, I just want
22 to thank you for providing DFO the opportunity to
23 provide comments on CanZinco.
24 We would like to reiterate the comments with
25 the protection to fish and fish habitat.
26 First off, with most of the construction

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1 activities around Nanisivik, site-specific
2 mediation measures that further prevent or limiting
3 the opportunity for fish habitat or dilatory
4 substances to be done, those would include waste
5 rock piles, restoration of the waste rock piles,
6 roadways, government channels, Twin Lakes and
7 gravel and road removals and restoration.
8 Further, any contingencies that are
9 contemplated to address these problems should also
10 be reviewed as well. Second of all, the monitoring
11 should strongly demonstrate controlled
12 infrastructure at the West Twin Lake and the
13 storage channel, East Twin and the Dike -- sorry,
14 and the Dike to ensure that future failure of these
15 structures beyond the seven-year period is not
16 likely to result in sediment and tailings for fish
17 habitat.
18 Any inefficiencies in the Dike or any of
19 these other structures identified should be
20 reported immediately and for the plan to address
21 these things as soon as possible.
22 And, lastly, with respect to the dock, DFO
23 and CanZinco have agreed to meeting next week for
24 additional clean up and/or monitoring will need to
25 be adjusted, how they will need to be adjusted in
26 the meeting last week and in the last few days, and

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1 it will also follow consideration of the terms and
2 conditions of fish habitat dwellings.
3 So once again, I think the plan basically is

4 very good from the standpoint of fish and fish
5 habitat. And I thank the Water Board members for
6 the opportunity to provide comments.
7 CHAIRMAN: Thank you.
8 Closing remarks from Acres International?
9 Ramli Halim.
10 CLOSING REMARKS OF ACRES INTERNATIONAL:
11 RAMLI HALIM: Thank you, Mr. Chairman.
12 Ramli Halim with Acres International.
13 Nanisivik closure and reclamation plan have
14 been reviewed, modified and finalized to its
15 present document, which was submitted in February
16 and March 2004. It is a relatively large document,
17 over 1000 pages, containing the main report and its
18 11 components.
19 For a document of this size, there are bound
20 to be many corrections, additional information,
21 discussions and requested clarifications from the
22 regulators and other parties, as well as from the
23 residents of Arctic Bay. However, subjective
24 amendments which need to be made for the document,
25 this should not prevent the Nunavut Water Board for
26 its approval of the plan.

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1 On behalf of Acres International, I would
2 like to thank the Board for my participation, and
3 also from my colleagues from Dillon Consultings,
4 Dr. Leece and Dr. Klee in the review process.
5 Thank you.
6 CHAIRMAN: Thank you, Ramli.
7 Okay. Closing remarks now from the
8 applicant. Oh, I'm sorry, closing remarks from the
9 Arctic Bay, Mr. Mayor.
10 CLOSING REMARKS FROM ARCTIC BAY:
11 NIORE IQALUKJUAK: When the mine was closing,
12 when it was announced the mine was closing, Levi
13 Barnabus was involved in acting as the liaison
14 officer, and he created a Hamlet Working Group, and
15 I want to thank them, along with the hamlet
16 council.
17 Although the issues were hard or tough, we
18 also work with the HTO. And also the Water Board,
19 thank you for allowing us, the people, to express,
20 and also to Patrick for informing the public and
21 for his effort to inform the people.

22 And although it is sometimes it was tough
23 issues that people were mentioning -- but also
24 CanZinco for informing the people of their plans
25 for closure. And representative from NTI, GN, DFO,
26 INAC and Acres International, Environment Canada,

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1 that we heard their comments, that they are
2 supporting the Arctic Bay residents. And the
3 interpreter had to deal with tough words to
4 translate or interpret.
5 INTERPRETER: I got paid for it.
6 NIORE IQALUKJUAK: We understand that
7 residents of Arctic Bay are being represented by
8 these different departments or agencies, and we
9 will -- are willing to work with them regarding the
10 buildings infrastructure in Nanisivik.

11 And I want to thank the Water Board for
12 coming to Arctic Bay.

13 CHAIRMAN: Thank you, mayor.

14 Closing remarks. Closing remarks from the
15 applicant, please.

16 CLOSING REMARKS OF THE APPLICANT:

17 BILL HEATH: Thank you, Mr. Chairman.
18 Bill Heath from CanZinco.

19 I will do my best to be brief, but given the
20 amount of work we have put into this, we have a lot
21 of people to thank. It hasn't happened easily.

22 I guess the most logical starting point would
23 be to start by thanking the various interveners and
24 their technical consultants and technical experts.

25 Everybody who has appeared before you, Mr.
26 Chairman, has essentially said the same thing, and

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1 that is the plan that we presented to you and
2 submitted in the summer of 2002, while it was a
3 good starting point and it was a good conceptual
4 document, there was a lot of document lacking, and
5 we knew that when we presented it to you, but it
6 was that way by design. And it is only through the
7 cooperations and the spirit of includibility
8 amongst the interveners and the various expects
9 that we were able to refine it and work at it, to
10 get it to the point where it is today.

11 And that's not in any way to belittle the

12 efforts of Bob and Murray and Eric and Jim and the
13 fellows from Jay Swicher who aren't here, because
14 it is only through Bob's diligence, I think, that
15 we have come to have the document that we have.
16 And it was his hard work and his efforts that was
17 the driving force.

18 So to all the interveners, all the kind
19 things you said about the document, they shouldn't
20 come to CanZinco, they should go to Bob and his
21 team.

22 I guess there is one comment about -- I will
23 try to stay on the water. One of the issues that
24 has been raised here is the issue of -- between GN
25 and the issue of materials and supplies and so on.
26 And we understand that the GN is convening a

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1 meeting, as Susan indicated here, sometime in the
2 middle of July. We would very much like to
3 participate in that.

4 I spoke briefly with the mayor during the
5 last break, and obviously he is concerned about the
6 impact that that might have on his residents. And
7 we would like to do as much as we can to cooperate
8 in that effort.

9 And I am sure that we are all reasonable
10 people, and we will find a solution that we can
11 abide by.

12 On the general topic of the mayor, I've not
13 known this mayor very well. I certainly knew the
14 predecessor mayors quite well. I have had a number
15 of opportunities to speak with the mayors and with
16 the hamlet councils.

17 I have enjoyed my time in Arctic Bay. I have
18 always enjoyed and appreciated the openness and the
19 candor with which elected officials in Arctic Bay
20 felt the need from time to time to sort of keep up
21 on the straight and narrow, and we certainly
22 appreciated the input. And that very much goes
23 very much for the community of Arctic Bay as well.

24 You know, we hope that over the course of the
25 last 25 or 30 years we have been a good neighbour.
26 And we hope that we have been more than just the

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1 employer down the road.

2 We know that there have been times when the
3 town or the hamlet of Arctic Bay has needed things,
4 and we have done our best to accommodate. And
5 certainly in listening to some of the presentations
6 by some of the residents of Arctic Bay and some of
7 the Elders, we have not always been a great
8 neighbour. Certainly we have made some mistakes
9 along the way, but our hope is that on balance,
10 people think of Nanisivik as much, much, much, more
11 good than bad. And that -- and if that's the case,
12 then I think our legacy here will have been
13 fulfilled.

14 So to the people of Arctic Bay and to the
15 hamlet, elected officials, the mayor and council,
16 we appreciate -- we extend our appreciations and
17 our thanks for your support. And the Elders and
18 the organizations, and Hunters and Trappers who
19 again, from time to time, have felt the need to
20 keep us honest, we appreciate your comments.

21 I should also take the opportunity to thank
22 the staff of the Board. As much as the interveners
23 have been instrumental in making sure that the
24 document that we have in front of us today is a
25 complete and accurate one, both technically and
26 administratively, the staff of the Board has been

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1 just incredible in their support and their help.

2 And most of all, we would like to thank the
3 Board itself. We would like to thank the Board for
4 the opportunity to come and present our report.
5 And we recognize that it is probably sometimes a
6 tedious process, but it is one that we need to go
7 through. And we appreciate that the Board has
8 convened this meeting in such a timely fashion.

9 And on a personal note, Mr. Chairman, we
10 would like to thank you for steering us through
11 some, what could have been rather choppy waters in
12 the past few days, but you have by and large kept
13 us out of trouble, so our thanks to you as well.

14 And with that said, the, I guess the last
15 thing is to suggest that we believe that the report
16 that we have rendered, that seems to have garnered
17 the support for most, if not all, the interveners,
18 would be in your hands, and we would very much
19 appreciate it if you would give it its blessing.

20 Thank you.
21 CHAIRMAN: Thank you very much.
22 To conclude this hearing, I would like to say
23 that as a quasi-judicial tribunal, the Board will
24 make the decision based on the evidence presented
25 during this hearing and based on its own
26 understanding and appreciation of the issues raised

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1 during the hearing and in view of the lack of
2 circumstances.

3 In any case, the Board is not a party and
4 does not take sides. The Board will endeavour to
5 finalize its decision and issue its reasons for the
6 decision within 30 days. And all interested
7 parties will receive a copy of the Board's
8 decision.

9 The public hearing is now adjourned, and I
10 would like to thank everyone within CanZinco,
11 interveners and members of the public for taking
12 their time to come out before the Board yesterday
13 and today. Also the interpreter who has a very
14 difficult job to translate very complex issues to
15 us, I understand.

16 Before we end this public hearing, I would
17 like to ask Charlie Inuaraq to say the closing
18 prayer.

19 CHARLIE INUARAQ: (CLOSING PRAYER)

20 CHAIRMAN: This hearing is now closed.
21 (HEARING CLOSED AT 4:10 P.M., JUNE 4, 2004.)
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1 CERTIFICATE OF TRANSCRIPT

2 I, TARA LUTZ, hereby certify that the
3 foregoing pages are a true and faithful transcript
4 of the proceedings taken down by me in shorthand
5 and transcribed from my shorthand notes to the best
6 of my skill and ability.

7 Dated at the City of Edmonton, Province of
8 Alberta, this 10th day of June, A.D. 2004.
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Ms. Tara Lutz,
Court Reporter

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1 EXHIBITS ENTERED IN THE NUNAVUT WATER BOARD HEARING
2
3 PAGE NUMBER:
4 EXHIBIT NO. 3:
5 MLA STATEMENT TO THE NUNAVUT WATER
6 BOARD..... 177:23
7
8 EXHIBIT NO. 4:
9 GN PRESENTATION, ELECTRONIC
10 VERSION 219:13
11
12 EXHIBIT NO. 5:
13 GN PRESENTATION, HARD COPY
14 VERSION 219:15
15
16 EXHIBIT NO. 6:
17 GN 2002 SOCIO-ECONOMIC STUDY 219:17
18
19 EXHIBIT NO. 7:
20 DIAND PRESENTATION, ELECTRONIC
21 VERSION 270:3
22
23 EXHIBIT NO. 8:
24 DIAND PRESENTATION, HARD COPY
25 VERSION 270:5
26

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1	EXHIBIT NO. 9:	
2	MAP IDENTIFYING ABANDONED AIRPORT	
3	LANDFILL	278:21
4		
5	EXHIBIT NO. 10:	
6	CANADIAN COAST GUARD NANISIVIK LEASE	
7	L-9195300 MAP.....	287:23
8		
9	EXHIBIT NO. 11:	
10	ACRES INTERNATIONAL PRESENTATION,	
11	ELECTRONIC VERSION.....	299:3
12		
13	EXHIBIT NO. 12:	
14	ACRES INTERNATIONAL PRESENTATION,	
15	HARD COPY VERSION.....	299:6
16		
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