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NUNAVUT IMALIRIYIN KATIMAYINGI

September 4, 2003

Ms. Susan Hardy
Government of Nunavut
Department of Justice
Iqaluit, NU X0A 0H0

via email

Dear Ms. Hardy:

Re: Nanisivik Mine HHERA - Final Technical Meeting, September 22-23, 2003, Ottawa;

Thank you for your letter received by our office yesterday regarding the above noted matter. Your correspondence was forwarded to the Board for their consideration.

Your letter raises two main concerns with the proposed Final Technical Meeting: (1) Drs. Rogers and Zelt will not be able to attend the September meeting; and (2) other matters such as conditions relating to the Phase II ESA approval, CanZinco's compliance with their water licence, and the disposal of decontamination wastewater, that you wish to have addressed at the meeting.

On the subject of the date of the Final Technical meeting, I regret to inform you that your suggestion to reschedule the meeting during the week of October 1, 2003 or alternatively to hold a teleconference that same week with Drs. Rogers and Zelt, cannot be considered principally because our staff and independent experts engaged in this file have other commitments throughout the months of October, November and the first part of December. The Board wants the HHERA to be completed without undue delay and has no other alternative than to go ahead with the September 22-23, 2003 meeting as scheduled.

Regarding the other matters you propose to bring forward at that meeting, the Board again confirms that the Final Technical Meeting has been set to allow participants to focus on one issue only: the HHERA. In light of the complexity of the outstanding HHERA issues, the Board believes that it would be a better use of everyone's limited time to steer clear of any discussion on other matters, regardless of their import. This said, the Board appreciates the significance of the issues you raise in your letter and will provide a response in a separate communication.

Since the Board would like the HHERA to be completed as soon as possible, it seems to the NWB that GN could:

- (1) Send Toxcon's alternate staff to the September 22-23, meetings, and/or,
- (2) Drs. Rogers and Zelt participating via teleconference for a portion of the September 22-23 meetings, and/or,
- (3) File (presumably with Drs. Rogers and Zelt's assistance) a detailed written submission addressing the HHERA agenda.

Finally, as a matter of courtesy, if you do elect to file a written submission in the absence of Toxcon consultants being present, please send it to the Board at least one week prior to the date of the meeting so that our staff and independent experts have the opportunity to review it before the meeting.

Yours truly,

Original signed by:

Dionne Filiatrault, P. Eng.,
Senior Technical Advisor

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