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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI

NWB FILE #: NWB1POL

December 5, 2002

By Email and Telecopier

Subject: Application for Renewal of Licence N4L2-0262
Decommissioning and Reclamation – Polaris Mine, Nunavut

Dear Parties:

The Nunavut Water Board (“NWB”) received from TeckCominco Ltd. (“Applicant”) an application dated October 4, 2002 for the renewal of licence N4L2-0262, for water use and waste disposal associated with the decommissioning and reclamation of the Polaris Mine. Licence N4L2-0262 will expire December 31, 2002.

The NWB forwarded the application to the Nunavut Planning Commission (“NPC”) as required by legislation. Pursuant to section 13.4.5 of the Nunavut Land Claims Agreement (“NLCA”), the NPC determined that the application was in conformity with the approved land use plan for the region. The application was forwarded to the Nunavut Impact Review Board (“NIRB”) for screening with NPC’s determination and recommendations. In its screening decision, dated December 5, 2002, NIRB notified the NWB that the application could be processed without a review under Part 5 or 6 of Article 12 of the NLCA. NIRB recommended specific terms and conditions, reflecting the primary objectives set out in Section 12.2.5 of the NLCA.

In accordance with the provisions of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (“Act”), the NWB shall hold a hearing in the community or communities most affected before it can dispose of the application. By copy of this letter and attached notice of hearing, the NWB is notifying the councils of the municipalities of Resolute Bay and Grise Fiord, and the parties identified on the attached distribution list, that it intends to hold a hearing in Resolute Bay on February 14 and 15, 2003. Notice of the hearing will be published in the next edition of Nunatsiaq News. The particulars of the hearing will be communicated to all parties in due time.

Accordingly, the NWB invites interested persons to make representations with respect to this application. Failure to respond to this notice or to make representations by the tenth day before the day of the proposed hearing may affect the right to be compensated under section 58 of the Act. Additionally, the NWB notifies all parties that it may waive the requirement for a hearing if the Applicant consents in writing to the disposition of the application without a public hearing, provided that no other person informs the NWB by the tenth day before the day of the proposed hearing of the intention to make a representation.

The following documents have been submitted in support of the application and are available for review:

- 1) An application for licence renewal, dated October 4, 2002, from TeckCominco to the NWB;
- 2) A four-volume report titled "Polaris Mine Decommissioning and Reclamation Plan" ("Plan") prepared by Gartner-Lee Limited ("GLL") for TeckCominco, dated March 2001;
- 3) A letter, dated October 15, 2002, from TeckCominco to the NWB, enclosing a report on the decommissioning of the Freshwater Supply Facilities at Frustration Lake, prepared by GLL for TeckCominco;
- 4) A letter, dated November 26, 2002, from TeckCominco to the NWB, enclosing the cost estimate for the decommissioning, reclamation and long term monitoring of the Polaris Mine.

The following other documents related to this application are on file in the NWB Public Registry:

- 1) A joint letter from the NWB and DIAND, dated April 15, 2002, approving the decommissioning and reclamation activities as proposed by TeckCominco, **with the exception** of the reclamation and decommissioning of Garrow Lake, the dock area and the shoreline, which are subject to *Fisheries Act* authorizations by Fisheries and Oceans Canada (DFO), and the Freshwater Supply Facilities at Frustration Lake;
- 2) The NIRB Screening Decision, dated December 5, 2002;
- 3) Polaris Fish Habitat Restoration Plan, dated May 24, 2002;
- 4) Section 352 Fisheries Act Authorization to decommission Garrow Lake, Dam, Dock, and Marine Foreshore Area at Polaris Mine, September 20, 2002.

All documents have been placed in the NWB Public Registry and are available to the public. Documents can be obtained from the NWB ftp site at <ftp://ftp.nwb.yk.com> in the folder titled "Licence Renewal 2002", located in "NWB1 MINING or BULK SAMPLING", subfolder "NWB1POL", or by contacting Bruce Donald, TeckCominco's Reclamation Manager, or Patrick Duxbury, Mine Reclamation Coordinator. A complete copy of the NWB Public Registry for Licence N4L2-0262 will also be available shortly for consultation in the communities of Resolute Bay and Grise Fjord and at the DIAND Water Resources Office in Iqaluit.

The NWB's *Rules of Practice and Procedure for Public Hearings* will govern the conduct of the Hearing. These rules can be obtained by contacting the NWB office. The NWB also takes this opportunity to remind TeckCominco and all interested parties that correspondence to the NWB in respect of this application shall be submitted in both English and Inuktitut. Technical and scientific reports, studies and research may be submitted to the NWB in English, but they shall be accompanied by a detailed executive summary in English and Inuktitut, containing sufficient information, maps, figures, photos and other visual data to allow the public to be adequately informed. These language requirements will be made obligatory for the Applicant, as well as any corporate or governmental parties to ensure that the NWB and the public in the interested communities have access to adequate documentation in Inuktitut.

In order to facilitate the review of this application and provide interested parties with the opportunity to discuss procedural and substantive issues, the NWB proposes to hold a *pre-hearing conference* (PHC) in Resolute Bay on or around January 10, 2003.

Finally, as Licence N4L2-0262 will expire before the NWB completes the hearings and makes a decision, the NWB proposes to extend the validity of the water licence until June 1, 2003 or sooner if a new licence is issued by the NWB before that date.

If you have any questions or concerns regarding these proposed procedures, please write to the undersigned **before December 20, 2002**. Following your comments on whether or not these procedures are proper, we will confirm the process and notify all parties of the next steps.

Sincerely,

Original signed by:

Philippe di Pizzo
Executive Director

cc. Distribution List