



Avatiligiyiit

Department of Environment

Ministère de l'Environnement

Dec. 5, 2008

Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board

via Email to: licensing@nunavutwaterboard.org

**RE: Intervention for the Lupin Type A Water License Renewal Application
(NWB File # 2AM-LUP0008)**

Dear Ms. Beaulieu:

The Lupin gold mine project owned by Lupin Mine Inc. (subsidiary of Zinifex Canada Inc.) is located approximately 285 km southeast of Kugluktuk. The project is currently at care and maintenance while Zinifex determines whether it is economically feasible to re-open the mine. Zinifex Canada Inc. or Zinifex is currently requesting their Type A water license for the Lupin project be renewed for another 5 to 7 years, and the license application is undergoing a written hearing as directed by the Nunavut Water Board (NWB).

The Government of Nunavut, Department of Environment (DOE) conducted a technical assessment and provided technical comments based on our mandate under the *Environmental Protection Act* to the NWB on Oct. 27, 2008 where we raised issues related to tailings management and spill contingency planning. On Nov. 17, 2008, technical issues were discussed at a Technical Meeting followed by a Pre-Hearing Conference. At the Technical Meeting, Zinifex committed to respond to the tailings issue by providing further clarification on the scale of exposed tailings as well as providing a management plan to discuss how tailings will be managed and monitored during care and maintenance, to ensure contaminants will not be released to the surrounding environment. Additionally, Zinifex committed to revise the Spill Contingency Plan to address issues raised by the DOE on Oct. 27, 2008.

Therefore, the DOE would like to reserve our right for further comments once a response to the issues discussed above from Zinifex is submitted.

The DOE thanks the NWB for the opportunity to provide comments on the Lupin water license renewal application. Please contact us if you have further questions.

Yours sincerely,

Original signed by

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