

Appendix A:

Technical Hearing and Pre-Hearing Conference Commitments and Baffinland Responses

Attachment A: Technical Hearing and Pre Hearing Conference Commitments and Baffinland Responses

Commitment No.	Raised By	Description of Commitment	Responsible Party	Relevant Date	Baffinland Response
1	QIA	BIMC to, in consultation with the Marine Environment Working Group, revise the Environmental Effects Monitoring Program and submit it to the relevant parties prior to any discharge in to the marine environment at Milne Port and in accordance with timelines agreed to by the relevant parties.	BIM	Draft by March 2015	Baffinland Agrees.
2	QIA	NWB to clarify whether the scope of the upgrades contemplated for the Tote Road as described in the existing Type "A" water licence and Final Environmental Impact Assessment for the overall project is consistent with the upgrades proposed in the Amendment Application.	NWB	After TM-PHC but prior to Any Potential Hearing for the File	Not Applicable to Baffinland.
3	NWB	The QIA to provide confirmation on whether any changes to the Water User Compensation will result from the amendment application that is before the Board.	QIA	Prior to any Potential Hearing for the file	Note: This comment is addressed to QIA. However Baffinland are responding as follows: "Baffinland and QIA have a signed Water Compensation Agreement and it applies to this amendment."
4	NWB	BIMC to review and identify changes and updates to management plans linked to the amendment application and identify strategy and timelines for submitting those changes to the NWB and reviewers for comment.	BIM	By February 6, 2015	<p>Suggested wording for Part B Item 15 the Type A Water Licecne 2AM-MRY 1325 Amendment:</p> <p>The Licensee shall update and revise, for submission to the Board for review, within sixty (60) days of issuance of this Licence, the following management plans. The updates are to take into account commitments made with respect to submissions received during the preliminary and technical review of the Application documents, as well as final submissions and issues raised during the Public Hearing Process, where applicable. All other Management Plans will be updated and submitted on March 31 2016 with the Annual Report.</p> <p>a. Baffinland Iron Mines Corporation Mary River Project Surface Water and Aquatic Ecosystems Management Plan, dated March 2015; b. Baffinland Iron Mines Corporation Mary River Project Fresh Water Supply, Sewage and Wastewater Management Plan, dated March 2015; c. Baffinland Iron Mines Corporation Mary River Project Road Management Plan, dated January 2015; d. Baffinland Iron Mines Corporation Mary River Project Aquatic Effect Monitoring Plan June 2014;</p>

5	NWB	BIMC to update the amendment application currently before the board to address exclusion of the desalination plant, discrepancies in water quantity required, and changes to the licence term.	BIM	By February 6, 2015	Refer to Attachment B of this submission.
6	NWB	BIMC to confirm and/or provide a copy of its financial information that appears to be absent from its application.	BIM	By February 6, 2015	Refer to Attachment C of this submission.
7	NWB	BIMC to prepare a listing of consequential amendments to the licence based on the amendment request.	BIM	By February 6, 2015	<p>Refer to Attachment D of this submission.</p> <p>Baffinland has provided track changes where appropriate for the existing Type A Water Licence 2AM-MRY1325. There are a number of clauses in the existing Type A Water Licence that reference outdated Management Plans (i.e. Part B Item 14, Part D Item 6). Baffinland has not adjusted these dates and left these for the Nunavut Water Board to review. If the decision is made to update the dates Baffinland can provide the dates information for all subsequent Management Plans that have been submitted.</p> <p>Baffinland notes that in Part F of the Water Licence, specific monitoring stations are cited, e.g., refer to Part F (18, 19, 21, 22, 23, 24, 25, and 26). Baffinland further notes that the specific listing of monitoring stations with Part I is redundant because Schedule I to the Water Licence provides a comprehensive listing of current monitoring stations, locations, and schedule of analyses. Baffinland suggests the deletion of specifically cited monitoring stations within Part I. Part I should simply reference Schedule I in regards to monitoring station locations and schedule of analyses. As the project evolves, Schedule I can be changed in accordance with Part I (28) of the Water Licence which states that schedule I can be modified by the Board without a public hearing, so long as the proponent provides a justification for the change. Going forward, Baffinland suggests that this is the most efficient way to manage the addition of new monitoring station locations and/or the retirement of existing stations no longer required.</p>
8	NWB	BIMC to consider and advise whether summary information on key aspects of its 2014 annual report can be provided in advance of March 31, 2015 submission date	BIM	By February 6, 2015	<p>Baffinland is not currently in a position to commit to the submission of the 2014 NWB Annual Report (the Report), in part or in its entirety, prior to the March 31st deadline which is the submission date stipulated in Part B item 4 of the Type A Water Licence 2AM-MRY1325. The Report is a considerable volume of work that is prepared and integrated in conjunction with the 2014 QIA and NIRB Annual Report requirements. The preparation of the Report is strategically scheduled and budgeted, involving effort and input from numerous internal and external parties, significant resources, and advanced planning. The planning for the Report typically commences in early October of each year. The Report is also comprehensively technically reviewed prior to submission to ensure that all data, results, and interpretation are sound. In consideration of the above factors, Baffinland cannot therefore commit to submitting the Report in advance of the March 31 deadline as was requested during the Pre-Technical Hearing in January. Notwithstanding the absence of a firm commitment to submit the Report prior to the March 31 deadline, Baffinland will, however, make best efforts to complete and submit the report in a timely fashion. In the interim, Baffinland directs the</p>

					NWB to the Monthly Water Licence Monitoring Reports regularly submitted to the NWB, to the summary of compliance with the Water Licence supplied by Baffinland (Part I Commitment No.21 of the Type A Water Licence 2AM-MRY1325) , and any historical or recent documentation provided by the AANDC Water Resources Inspector regarding Baffinland’s compliance to the Water Licence.
9	NWB	BIMC to provide summary of actions taken to address compliance issues flowing from AANDC inspection reports.	BIM	By February 6, 2015	<p>During 2014, the main issues of concern identified by AANDC inspectors included the following:</p> <ol style="list-style-type: none">1. The disposal and interim storage of historic incinerator bottom ash that was generated and accumulated during the exploration phase of the Project (from 2006 to 2013). Characterization and disposal of the ash had commenced and progressed in 2012-2013, but had not yet been completed as of 2014.2. The storage and longer term disposal plan for salt (calcium chloride) stored in two stockpiles at site. The salt was purchased for drilling during the exploration phase of the Project and there was visual evidence of some degradation/damage of packaging and some refuse that originated mainly during recent salt transfer activities at the Port Site.3. The management and ongoing use of the open burn facilities at the Milne Port and Mine Site. There was evidence of minor quantities of improper waste being open burned and stored at the facility, as well as sub-standard housekeeping practices.4. Drainage from the Mine Site Weatherhaven Camp pad to Camp Lake. There was some evidence of siltation occurring along a drainage to Camp Lake, especially during periods of high runoff. Silt curtains had previously been installed at the discharge end of the drainage, however, the Inspector requested that further efforts be made to limit siltation to the lake and to minimize reliance on the silt curtains. <p>In each of the above cases, the Inspectors requested that Baffinland develop Action Plans with implantation dates for their review. The action plans were submitted promptly by Baffinland and acknowledged / approved for use by the Inspectors shortly thereafter. The Action Plans were then implemented in accordance with the document submitted. In some cases plans were revised and written requests were submitted to and approved by the Inspectors.</p> <p>Refer to Table 1: <u>SUMMARY OF 2014 AANDC INSPECTIONS AND BAFFINLAND RESPONSES</u> attached. The table provides the dates during 2014 for inspections conducted by AANDC Water Resource Officers and the various follow-up documents associated with those inspections including Baffinland’s responses to</p>

					items identified and AANDC's acknowledgements.
10	NWB	AANDC to provide up to date compliance status report, reflecting AANDC inspections from 2014.	AANDC	By February 6, 2015	Not Applicable to Baffinland
11	NWB	BIMC to submit a revised estimate of the ultimate reclamation security for the entire project as part of its updated Interim Abandonment and Reclamation Plan	BIM	March 31. 2015	Baffinland Agrees.

BAFFINLAND IRON MINES CORPORATION**MARY RIVER PROJECT****TABLE1 : SUMMARY OF 2014 AANDC INSPECTIONS AND BAFFINLAND RESPONSES**

April 15-16, 2014	Site Inspection by AANDC Water Resource Officer
May 16, 2014	April Inspection Report Received from AANDC
June 17-19,2014	Site Inspection by AANDC Water Resource Officer
June 23, 2014	June Inspection Report Received from AANDC
July 4, 2014	Submitted Follow-Up to April and June Inspections
July 4, 2014	Historic Ash Disposal Management Plan Submitted to AANDC
July 4, 2014	Surface Water Drainage to Camp Lake Plan Submitted to AANDC
July 7, 2014	AANDC acknowledgement of submission of Ash Disposal Plan and Surface Water Drainage to Camp Lake Plan
July 14, 2014	Site Inspection by AANDC Water Resource Officer
July 25, 2015	July Inspection Received from AANDC
August 1, 2014	Photos relating to action items from June inspection submitted to AANDC
August 5, 2014	AANDC acknowledgement of work to be completed by August 1, 2014 - Ash Disposal Berms
August 21-25, 2014	Site Inspection by AANDC Water Resource Officer
August 29, 2014	August Inspection Report Received from AANDC
September 8, 2014	Preliminary Plan for Camp Lake Drainage submitted to AANDC
September 9, 2014	AANDC acknowledgement of receipt of Technical Memo for Surface Water Drainage to Camp Lake
September 12, 2014	Calcium Chloride Action Plan Submitted to AANDC
September 12, 2014	Open Burn Site Action Plan Submitted to AANDC
September 22, 2014	AANDC recognition of submission of plans for open burning and calcium chloride storage
October 16, 2014	Open Burn and Calcium Chloride update provided to AANDC
October 16, 2014	Request for brief update for AANDC for Ash Disposal Plan and Surface Water Drainage to Camp Lake Plan
October 20, 2014	Historic Waste Ash Sample and Disposal update submitted to AANDC
October 20, 2014	AANDC acknowledgement of receipt of the Ash Disposal Plan update
October 24, 2014	Submission and recognition of Open Burn Training to commence
October 30, 2014	Camp Lake Surface Water Runoff Sediment Control Plan submitted to AANDC
November 1, 2014	Notification of completion of the Management of Open Burn Area Plan
November 3, 2014	AANDC acknowledgement of completion of the open burn areas Proposed Action Plan
November 4, 2014	AANDC acknowledgement of the Surface Water Drainage to Camp Lake Plan
November 18-20, 2014	Site Inspection by AANDC Water Resource Officer
December 3, 2014	November Inspection Report received from AANDC