July 1, 2020

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SPPSPCS495P Qikiqtarjuaq

46C7V2049 Resolute Bay

50P2956 Sanikiluag

50-556 Sanirajak Assol Kubeisinova Christopher Murray

Technical Advisor **Environmental Regulatory and Compliance Manager**

Nunavut Water Board Baffinland Iron Mines Corporation

P.O. Box 119 2275 Upper Middle Road East, Suite 300

Gioa Haven, NU Oakville, ON L6H 0C3

RE: Response to Baffinland's Quarry D1Q2 Closure Memo

Dear parties,

X0B 1J0

The Qikiqtani Inuit Association (QIA) has prepared this letter in response to Baffinland Iron Mines Corporation's (BIMC) Quarry D1Q2 Closure Memo¹ as well as the Nunavut Water Board's (NWB) follow-up request for comment². QIA has reviewed BIMC's memo, including associated materials, and provides the following comments to both parties:

1. Contravention of IIBA Section 15.10.4

BIMC submitted the D1Q2 memo¹ to QIA and the NWB at the same time, in contravention of Inuit Impact and Benefit Agreement³ (IIBA) Section 15.10.4. This section requires that submissions related to regulatory instruments are to be provided to QIA 30 days prior to regulatory bodies. This requirement allows QIA to provide feedback on draft submissions to promote the alignment of objectives between QIA and BIMC. It is QIA's expectation that BIMC will abide by this condition in the future.

2. Addressing Quarry D1Q2 physicochemical instability

The Knight Piesold memo⁴ highlights concern related to the slope stability of sections of Quarry D1Q2. The report also identifies a Water Licence⁵ discharge limit exceedance of Total Lead (Part E. Condition 24 of the Water Licence). These physicochemical concerns must be addressed as soon as reasonably possible to ensure site safety and to avoid additional exceedances of Water Licence discharge limits.

⁵ Nunavut Water Board (2015). Licence No. 2AM-MRY1325 – Amendment No. 1. July 31, 2015.





¹ Baffinland (2020). RE: Quarry D1Q2 Closure Memo. June 4, 2020.

² Nunavut Water Board (2020). 200610 – 2AM-MRY1325 – Submission of Quarry D1Q2 Closure Memo – Mary River Project - Qikiqtani Region [Email]. June 10, 2020.

³ QIA and Baffinland (2018). The Mary River Project Inuit Impact and Benefit Agreement. October 22, 2018.

⁴ Knight Piesold (2020). Deposit 1 Quarry (D1Q2) Inspection and Review Summary for Closure. March 30, 2020.

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3. Proposed Activities for Quarry D1Q2 and the ROM Stockpile

QIA highlights that the northwestern portion Quarry D1Q2 situated above the Mine Haul Road is outside of the boundary of the proposed ROM Stockpile (See attached Figure). In comparison, the full extent of the southeastern portion of Quarry D1Q2 is situated within the boundary of the proposed ROM Stockpile.

3a. Repurposing of Southeastern Section of Quarry D1Q2 for ROM Stockpile QIA supports BIMC in the repurposing of the southeastern section of Quarry D1Q2 for the proposed ROM Stockpile. If work proceeds, this site will be included in a future Inspection to evaluate compliance with any relevant regulatory conditions.

QIA agrees that reconciliation of security may be required to address overlap of Quarry D1Q2 and the proposed ROM Stockpile. This evaluation will be conducted during the 2021 Annual Security Review.

3b. Progressive Reclamation of Northwestern Section of Quarry D1Q2

The final closure of Quarry Q1D2 is not possible until the Final Closure Criteria and Objectives of the Final Closure and Reclamation Plan are approved by QIA. Until this point in time, any activities that support the advancement of the draft Closure Criteria and Objectives included in the current version of the Interim Closure and Reclamation Plan⁶ (ICRP) will be considered Progressive Reclamation (defined in Section 6.2.1 of the ICRP).

As highlighted by BIMC, the draft Closure Criteria and Objectives are subject to change. Future updates to the ICRP may result in a requirement for BIMC to perform additional reclamation activities.

QIA looks forward to reviewing Progressive Reclamation activities related to Quarry D1Q2 in BIMC's Annual Report for Operations.

Sincerely,

Chris Spencer

Manager, Regulatory Affairs

⁶ Baffinland (2018). Interim Closure and Reclamation Plan – Revision 5. October 30, 2018.

