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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

**File: 2AM-MRY1325
Modification No. 10**

October 16, 2018

Christopher Murray
Environmental & Regulatory Compliance Manager
Baffinland Iron Mines Corporation
Suite 300 – 2275 Upper Middle Road East
Oakville, Ontario, Canada L6H 0C3

Email: christopher.murray@baffinland.com

RE: Licence No. 2AM-MRY1325 Type “A”; Mary River Project, Baffinland Iron Mines Corporation; Modification No. 10 - Upgrades at the Mine Site

Dear Mr. Murray:

On September 5, 2018, the Nunavut Water Board (NWB or the Board) received a request by Baffinland Iron Mines Corporation (BIMC or the Licensee) for a modification (the Request) to the amended Licence No. 2AM-MRY1325 (the Licence) issued to BIMC for the Mary River Project (the Project). The requested modification was for the upgrades at the Mine Site. The scope of work is to:

- 1) expand the landfill beyond the initial cell but within the approved landfill boundary and
- 2) install an effluent discharge line from the sewage treatment plant servicing the 800-person camp to the existing effluent discharge line.

Copies of all documents received in support of the Request can be accessed through the NWB's Public Registry and FTP site using the following link:

[ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY1325%20BIMC/3%20TECH/6%20MODIFICATIONS%20\(G\)/Modification%20No.%2010%20Mine%20Site%20Upgrades/](ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY1325%20BIMC/3%20TECH/6%20MODIFICATIONS%20(G)/Modification%20No.%2010%20Mine%20Site%20Upgrades/)

NWB technical staff requested NIRB's support in understanding if the proposed expansion of the landfill from one to five cells with one of the cells potentially destined for landfarm purposes is in line with the NIRB Project certificate. NIRB responded with a positive evaluation stating that the landfill and the landfarm “remain within the overall larger area assessed by the NIRB as reflected in the FEIS for the Mary River Project”¹. The Request was distributed for review by intervenors on September 12, 2018. The following parties responded to NWB's call for comments: Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) and the Qikiqtani Inuit Association (QIA).

¹ Solomon Amuno, Technical Advisor, NIRB to Assol Kubeisinova, Technical Advisor, NWB; RE: 2AM-MRY1325 Modification 10, dated September 12, 2018.

CIRNAC recommended² BIMC to:

- construct the berm on the southwest side of Cell 5 at least 31m from the ordinary high water mark of the adjacent waterbodies;
- provide the NWB with plans for how machinery and vehicles will attain site access;
- provide drawings, placement instructions and specifications for the new raw water pipeline, and that an engineer field checks the designs as they are implemented;
- provide drawings, including specifications showing details (type, material, dimensions, and extensions), for all four culverts, and that an engineer field checks the designs as they are implemented; and
- review the planned mitigation measures for the pipeline prior to implementation and construction of the pipeline.

QIA provided³ the following comments:

- provide detailed for construction drawings of the four culvert crossings;
- have QIA approved security for the culverts in place prior to construction;
- follow the As Built Operations Guide;
- provide details of the periodic environmental inspections during construction and associated inspection forms for review prior to construction;
- provide the exact source of construction, operational and closure cover materials for the landfill expansion; and
- provide details of sedimentation and erosion mitigation measures prior to the landfill expansion.

BIMC responded with a submission on September 26, 2018. In the submission, BIMC provided requested technical information, as well as indicated a number of commitments, namely:

- 1) ensuring that Cell 5 does not encroach within 31m of the two ponds to the west. If the construction of Cell 5 occurs during spring and summer conditions, BIMC will ensure that sedimentation mitigation measures are implemented between the west perimeter of Cell 5 and the two small ponds.
- 2) improving signage and demarcation of the effluent pipeline;
- 3) proposing that the reclamation costs associated with pipeline culverts be reconciled in the 2019 Annual Security Review.

On October 2 and 4, 2018, QIA and CIRNAC, respectively, confirmed that they were satisfied with BIMC's response.

NWB's Review and Decision

The NWB, having fully reviewed the Licensee's request in the context of interveners' comments and recommendations, potential impact of the proposed activities on the freshwater environment, and consistency of the proposed activity in relation to the scope of the Licence, determined that the upgrades proposed are consistent with the scope of activities considered under the Licence issued to the Project. Therefore, by way of this correspondence and in accordance with **Motion No. 2018-13-P4-03** and Part G, Item 1 of the Licence, the Board authorizes BIMC to undertake the upgrades in

² CIRNAC, Re: Crown-Indigenous Relations and Northern Affairs Canada's comments on Baffinland Iron Mines Corporation's Modification Request No. 10, Landfill Expansion and Effluent Discharge Line, Water Licence 2AM-MRY1325 – Amendment No. 1, filed on September 20, 2018.

³ QIA, Re: Mary River Project – Upgrades at Mary River Mine Site, Modification Request No. 10. Water Licence 2AM-MRY1325, filed on September 20, 2018.

accordance with BIMC's Request. The authorization takes into account BIMC's commitments made during the technical review process.

In addition, the Board advises the Licensee that in accordance with Part G, Item 2 of the Licence, changes in excess of those authorized under this modification, may constitute a separate potential modification or amendment to the Licence, which may require respective determination(s) from the Nunavut Planning Commission (NPC) and/or the NIRB prior to receiving any consideration(s) and/or determination(s) from the NWB. Further, in keeping with Part G, Item 4 of the Licence's terms and conditions, the submission of post-construction information, including as-built plans and drawings, shall remain applicable to this authorization.

Should you have any questions regarding the above, please contact the NWB Licensing Department by email to licensing@nwb-oen.ca or by phone at (867) 360-6338.

Sincerely,

Lootie Toomasie
Nunavut Water Board, Chair

LT/ak/ip

Enclosure: Comments – CIRNAC and QIA
Cc: Distribution List – Mary River