



Water Resource Division
Nunavut Regional Office
Iqaluit, NU XOA OHO

AANDC reference
CIDM# 898969

March 18, 2015

NWB reference
2BE-HIG1217


Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board
Gjoa Haven, NU, X0E 1J0

Re: 2BE-HIG1217 – Request for Open Burning – High Lake – MMG Limited (MMG).

Aboriginal Affairs and Northern Development Canada (AANDC) have completed a review of the request for open burning for water license 2BE-HIG1217 (High Lake) submitted by MMG. The NWB circulated the licensee's request for open burning for comments on February 18, 2015. All documents related to the request posted on the NWB ftp site under 2BE-HIG1217 were included in the AANDC review (See attached Technical Review Memo).

Should you have any questions or comments, please do not hesitate to contact Lisa Bachellier at (867) 975-4568 or at Lisa.Bachellier@aadnc-aadnc.gc.ca.

Sincerely,



Andrea Morgan, P. Eng.
A/Manager, Water Resources

Cc. Lisa Bachellier – AANDC, Nunavut Regional Office (NRO)
Erik Allain, Manager of Field Operations – AANDC, NRO
Robert Savard- Water Resource Officer- AANDC



Technical Review Memorandum

To: Phyllis Beaulieu – Manager of Licensing, Nunavut Water Board

From: Lisa Bachellier – Water Resource Technician, AANDC
Robert Savard – Water Resource Officer, AANDC

Re: 2BE-HIG1217 – Request for Open Burning – High Lake – MMG Limited (MMG).

Background

The High Lake project is located in the Kitikmeot Region of Nunavut. This licence consists of both High Lake Camp and High Lake East Camp sites. MMG currently has facilities and infrastructure to support the running and maintaining of an advanced exploration drilling operation. At this time MMG is planning on putting this site into a care and maintenance phase including reducing its project foot print by carrying out certain reclamation activities (i.e open burning).

Recommendations/Comments

As part of the recent program review, AANDC recognizes that enforcing conditions related to open burning within water licences may be outside of the jurisdiction of Inspectors appointed under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA).

This determination is made where there is no clear connection between an activity and water use, deposit of waste to water or related appurtenant activity as set out in the NWNSRTA and *Nunavut Waters Regulations*.

With respect to the activity of open burning, AANDC's jurisdiction is limited to the prevention of deposition of waste materials of combustion and/or leachate from contaminated ash residual impacting any surrounding waters, unless otherwise approved by the Board in writing.

AANDC would like to assure the Nunavut Water Board that there are competent regulatory authorities that exist within Nunavut with the necessary legislation and jurisdiction to address any condition related to burning or incineration that may be beyond the jurisdiction of AANDC Field Operations.



AANDC would also like to encourage the proponent to seek out the existing federal, Inuit, territorial or municipal regulatory authority in Nunavut for further guidance related to the permitting of this activity.

End of Comments.