

WATER LICENCE INSPECTION FORM

☒ Original

☐ Follow-Up Report

Licensee	Licensee Representative
Agnico Eagle	Guy Dufour
Licence No. / Expiry	Representative's Title
2AM-DOH1335	Environment General Supervisor
Land / Other Authorizations	Land / Other Authorizations
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Date of Inspection	Inspector
November 16, 2022	Jonathan MESHER
Activities Inspected	
<input checked="" type="checkbox"/> Camp	<input type="checkbox"/> Drilling
<input type="checkbox"/> Roads/Hauling	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> Mining	<input type="checkbox"/> Construction
	<input type="checkbox"/> Other:
	<input type="checkbox"/> Reclamation
	<input type="checkbox"/> Fuel Storage

Conditions:

A - Acceptable

C - Concern

U - Unacceptable

NA – Not Applicable

NI – Not Inspected

Water Use	Condition	Comment	Site Conditions	Condition	Comment	Haz/Mat Management	Condition	Comment
Intake/Screen	NA		Water Management Structures	NA		Storage	U	
Flow Measure. Device	A		Culverts / Bridges	NI		Spills	NI	
Source:	NA		Drainage	NA		Spill Plan	NI	
Water Use:	NA		Erosion / Sediment	NI				
Recirculation ( y /n)	NA		Mitigation Measures	NI		Administrative		
			Reclamation Activities	NA		Records	A	
			Materials Storage	NA		Reports	NI	
Waste Disposal			Signage	NI		Plans	NI	
Waste Water	NA					Notifications	A	
Solid Waste	A		Monitoring			Other		
Hazardous Waste	C		Sample Collection / Analysis	A		Follow-up from previous inspection	NI	
*The number in the comments field will correspond with specific comments provided below.								
Samples taken by Inspector:			Location(s):					
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No								

SECTION 1	<input checked="" type="checkbox"/> Comments	<input type="checkbox"/> Non-Compliance with Act or Licence	<input type="checkbox"/> Action Required
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Background:

On November 16, 2022, I Jonathan Mesher of CIRNAC conducted inspections of the facilities licenced under the Water licence 2AM-DOH1323, during the inspection I was accompanied by Guy Dufour(licensee representative )

a. **Waste Storage**

I. During the inspection there was multiple seacans with fuel and Hazardous Materials outside of secondary containment. Section 4.1.1 of the hope bay spill contingency plan states; “This risk is minimized through the use of secondary containment and spill containment. All bulk fuel facilities are located in secondary containment (i.e., containment designed to contain volumes equivalent or greater than 110% of the aggregate or total volume of the largest container in the containment – whichever is greater). Smaller chemical storage tanks are either double walled (have built-in secondary containment), and are located in spill trays such that any leakage from hoses or lines are further contained or are located in secondary containment berms. Spill trays are used under fuel drums and other smaller chemical containers.” and section 4.6.1 of the Spill contingency of the spill contingency plan states; “All chemicals are kept in containment”. See photos below for chemicals/ hazardous materials outside of containment.

II. PART G, Item 21 of the licence 2AM-DOH states that; “The Licensee shall operate the Wastewater Treatment Plant, Landfill, Landfarm, Fuel Storage and Containment Facilities, Sedimentation Pond, Pollution Control Pond, and the Reagent and Cyanide Storage Facility sumps to the satisfaction of the Inspector.” The current Reagent and Cyanide Storage Facility is not satisfactory, the decommissioned facility was lined and surrounded by berms. The area currently used is near a marshy area with no liner or berms to stop any potential spills from flowing into the surrounding environment.

III. The inspector also noted glycol totes near the generator, the glycol was not in adequate secondary containment.

IV. PART I, item 3 of the licence 2AM-DOH states; “The Licensee shall provide secondary containment for fuel and chemical storage as required by applicable standards and acceptable industry practice.” And Section 4.3.7 of the Environmental Code of Practice for metal mines: chapter 4 states the following; R 326:

“ The chemical storage and containment facilities used at each mine should be designed and constructed to meet the appropriate standards, regulations and guidelines of pertinent regulatory agencies and the owner/operator's environmental policy, objectives and targets. As a minimum, chemical storage and containment facilities should:

- be managed to minimize the potential for spills;
- provide containment in the event of spillage and be managed to minimize opportunities for spillage;
- comply with Workplace Hazardous Materials Information System (WHMIS) standards;
- ensure that incompatible materials are stored in ways to prevent accidental contact and chemical reactions with other materials; and
- minimize the probability that a spill could have a significant impact on the environment.

A wide range of chemicals are used at mining facilities. These can include fuels and lubricants, process reagents, and explosives, as well as a range of other chemicals, such as cleaning products, de-icing products and paints. Many of these chemicals could pose a risk to the environment or human health if they are released in sufficient concentrations. Further, some chemicals could react if they come in contact with or are exposed to other chemicals, and these reactions may pose a significant risk to human health and the environment. Therefore, the transportation, storage, usage and disposal of these products need to be carefully planned and implemented. “


Therefore due to the lack of containment in the event of spillage and the chemicals being store on the edge of the pad it does not appear the licensee is following acceptable industry practice.

I. On page 2 of the document “Re: Agnico Response to CIRNAC Inspection Report June 20, 2022” the licensee stated that; “The sulfuric acid drums in the open seacan racks were repackaged into lined seacans and relocated to the upper laydown area see photo 4, 5 and 6.” During the inspection the inspector discovered unlined seacans full of Sulfuric Acid. On the same page the licensee also stated that; “2. Glycol totes at the powerhouse were relocated into lined seacan and the tote that remains at the powerhouse was placed on a secondary containment, see photo 2.”, the glycol totes at the power house was not in secondary containment therefore the licensee has made two false statements in the response to the previous email. Section 88(obstruction), subsection (2) of the Nunavut Waters and Nunavut surface rights tribunal Act (NWNSRTA) states that; “No person shall knowingly make a false or misleading statement, either orally or in writing, to an inspector or other person engaged in carrying out functions under this Part.” Continued obstruction or misleading statements will lead to the punishments described in Section 90, subsection (2) of the NWNSRTA.

b. Water Usage

- I. During the inspection the licensee had installed flow meters at the windy lake pump house.
- II. No other concerns were noted during this inspection.


Section 2	<input type="checkbox"/> Comments	<input checked="" type="checkbox"/> Non-Compliance with Act or Licence	<input checked="" type="checkbox"/> Action Required
<p><b><u>The licensee is to provide a plan 3 weeks after receiving the report to ensure the following concerns are addressed, this plan shall include a timeline for implementation.</u></b></p> <p>1. The licensee is to provide a plan to ensure all required Hazardous Materials are stored within Secondary Containment as required by the licence and associated documents. Since the licensee has decommissioned the Reagent and Cyanide Storage Facility with Secondary containment it appears a significant amount of hazardous materials have been improperly stored.</p>			


Inspector's Name	
Jonathan MESHER	
Signature	
	
Date	
1/9/2023	

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Crown Indigenous Relations and Northern Affairs Canada – CIRNAC  
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Date	Camera	Inspector	Authorization
November 16, 2022	Sony Cyber-shot	J.Mesher	2AM-DOH
Photo Log			
Photo 1			
			
Description: seacan full of jet fuel outside of containment.			



Date	Camera	Inspector	Authorization
November 16, 2022	Sony Cyber-shot	J.Mesher	2AM-DOH
Photo Log			
Photo 2			
			
Description: Sodium Metabisulfite in secans not in secondary containment.			

Date	Camera	Inspector	Authorization
November 16, 2022	Sony Cyber-shot	J.Mesher	2AM-DOH
Photo Log			
Photo 3			
			
Description: PAX 90% Q in seacans not in secondary containment.			



Date	Camera	Inspector	Authorization
November 16, 2022			
	Sony Cyber-shot	J.Mesher	2AM-doh

Photo Log

Photo 4



Description: hydrochloric acid 32% outside of secondary containment

Date	Camera	Inspector	Authorization
November 16, 2022			
	Sony Cyber-shot	J.Mesher	2AM-DOH

Photo Log


Photo 5



Description: Motor oil outside on secondary containment, on the edge of the storage pad.



Date	Camera	Inspector	Authorization
November 16, 2022	Sony Cyber-shot	J.Mesher	2AM-DOH
Photo Log			
Photo 6			
			
Description: Helicopter Pad fuel broken secondary containment.			

Date	Camera	Inspector	Authorization
November 16, 2022	Sony Cyber-shot	J.Mesher	2AM-DOH
Photo Log			
Photo 7			
			
Description: sulfuric acid in unlined seacans.			

