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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File: 2AM-DOH1335/H6

November 01, 2022

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RE: Licence No: 2AM-DOH1335 Updates to the Hope Bay Spill Contingency Plan and the Hope Bay Emergency Response Plan; Agnico Eagle Mines Limited.

Dear Ms. Harvey:

The Nunavut Water Board (NWB or Board) received from Agnico Eagle Mines Limited (Agnico Eagle or Licensee) on June 30, 2022 the Hope Bay Spill Contingency Plan (SCP), June 2022 and the Hope Bay Emergency Response Plan (ERP), August 2022 as the requirement of Part H, Item 6 of Water Licence No: 2AM-DOH1335 (Doris Licence).

On February 18, 2022, Agnico Eagle Mines Limited (Agnico Eagle or Licensee) announced its decision "to place the Doris Mill into Care and Maintenance and suspend production of the Hope Bay Project". On March 30, 2022, Agnico Eagle provided the Nunavut Water Board with formal written notice of Care and Maintenance for the Doris-Madrid operations under Part J, Item 4 of the Water Licence No: 2AM-DOH1335 (Water Licence).

The Hope Bay Spill Contingency Plan, June 2022 and the Hope Bay Emergency Response Plan, August 2022, have been revised to reflect the Care and Maintenance phase of the Doris-Madrid Project.

On June 30, 2022, the NWB distributed the Hope Bay Spill Contingency Plan and the Hope Bay Emergency Response Plan for public review with the deadline for comments set for August 2, 2022. On July 13, Crown-Indigenous Relations and Northern Affairs (CIRNA) submitted comments. On July 29, 2022 the Kitikmeot Inuit Association (KIA), requested an extension of the deadline to August 12, 2022. Agnico Eagle provided responses to comments on August 31, 2022. In their response, Agnico submitted a revised Emergency Response Plan which included recommendations requested by intervenors. All parties confirmed that Agnico's responses were satisfactory.

Following is a summary of the comments/questions and Licensee's responses.

Crown-Indigenous Relations and Northern Affairs (CIRNA)

- Clarify if the same Emergency Response Plan/team would be adopted for all the sites: Doris, Madrid, Boston; and
- If yes, how does AEM intend to coordinate emergency response in these sites with the same team considering their different geographical locations.

Agnico's response

- *This Emergency Response Plan encompasses Doris, Madrid and Boston. Further clarification has been added in the introduction of the revised ERP; Agnico Eagle submitted a revised Hope Bay Emergency Response Plan.*
- *The plan describes how emergency response is coordinated for the entire (i.e Doris, Madrid and Boston). Doris, Madrid and Boston are not independent operating sites. Additionally, emergency response under Care and Maintenance activities has been consolidated.*

Kitikmeot Inuit Association (KIA)

Comments on the SCP

- Request to reinsert Safety Data Sheets (SDSs) into the SCP
 - Agnico stated that SDSs are included in the SCP and will be available again with the submission of the next SCP update.
- Request to address KIA comments from March 2022
 - Agnico stated that the comments will be addressed in the next revision of the SCP in 2023.
- Request to include examples of how to stop common types of spills
 - Agnico stated that the comments will be addressed in the next revision of the SCP in 2023.
- Improve phrasing in sections 2.3.8 and 2.3.15 of the SCP to clearly state when the KIA would be informed of a spill
 - Agnico stated that the phrasing in sections 2.3.8 and 2.3.15 will be improved in the next revision of the SCP in 2023.
- Request to include effective strategies for containing spills of soluble substances in sections 2.3.10 and 2.3.16 of the SCP
 - Agnico stated they will revisit section 2.3.10 as part of the next revision of the SCP in 2023.
- Clarify how the Environmental Incident consequence scores are determined

- *Environmental Incident consequence scores are determined using the Agnico Eagle Health, Safety, Environment and Community (HSEC) Risk Analysis, Consequence & Probability Criteria. This matrix is part of the incident entry template documented in Agnico's Incident Management Database System, Intalex. The matrix requires Agnico to rank the spill based on Probability (1-5) and Environmental Consequence (1 – 5). Environment Consequence are subdivided into 3 categories, (1) Ecosystems, (2) Land Use and (3) Water and the rankings are as follows: 1- Negligible, 2- Minor, 3- Moderate, 4- Major and 5 - Extreme/Critical. Probability criteria are ranked as follows: 1- Very Low, 2- Low, 3- Moderate, 4- High and 5 - Very High.*
- Clarify how spill samples will be collected and analyzed
 - *Samples collection will be decided on a case-by-case basis and will likely include downstream and upstream (of the spill) locations. Agnico agrees that sediment sampling may be necessary for substances that are removed from the water column. This update will be included in the next revision of the SCP.*
- Clarify what would constitute “appropriate” conditions for consultation with the KIA and when continued monitoring would be required
 - Agnico stated that they agree with KIA's request and will include this update in the next revision of the SCP.
- Clarify that the inline instrumentation is actually measuring turbidity and that this parameter is being used as a proxy for total suspended solids (TSS)
 - *The inline measurements are of turbidity (NTU) which are converted to Total Suspended Solids (mg/L) within the meter mechanics after calibration with the appropriate standards. Agnico is committed to complying with MDMER and will not discharge non-compliant water.*
- Clarify that a first responder should not attempt to contain or remove spills of Jet-A only if the ambient temperature is $\geq 28^{\circ}\text{C}$. Please clarify the ambient temperature thresholds for Jet-A by stating them as absolute values ($< 28^{\circ}\text{C}$, $\geq 28^{\circ}\text{C}$).
 - Agnico stated that the comments will be addressed in the next revision of the SCP in 2023.

Comments on the ERP

- Clarify the roles and responsibilities of the Wildlife Response Team within the ERP and clarify who would lead the Wildlife Response Team and who would be available as a back-up, as there is no WRT Lead person indicated on the roster
 - *Roles and responsibilities of the Wildlife Response Team (i.e Team Members, Team Leads, Superintendent, Security Office, Exploration Logistics Coordinator, and Helicopter Pilot) are identified in the Wildlife Mitigation and Monitoring Plan rather than in the Emergency Response Plan. Further guidance is provided in SOPs. These are internal documents available for Agnico Eagle staff.*

- *The roster is listed in the ERP as an example only. The ERT roster is updated weekly by the H&S department and the positions/names are based on who is on site for each week. The Wildlife Response Team is managed by the Environment Department and they maintain the list of trained WRT personnel.*
- *The WRT Lead is the designated Environmental Dept. employee on-site based on rotation.*
- Request to revise Sections 3.1 through 3.9 of the ERP to ensure that all roles and responsibilities for Crisis Management and Emergency Response are clearly and consistently described. Clarification regarding emergency response in a nighttime emergency.
 - *Sections 3.1 through 3.9 were revised as requested.*
 - *A note has been made to inform that the ERT Roster does designate what shift (DAY/NIGHT) that Mine Rescue Members are on.*
 - *A reference to the Training Matrix with reference to the file location and link.*
- Recommendations for specific procedures in the ERP
 - Agnico provided several clarifications regarding specific procedures regarding the execution of the ERP.
- Clarifications regarding some ambiguous statements in the ERP
 - Agnico included clarifying statements in the revised ERP in sections 3.4 and 3.11 and responded to some contradictions in the ERP.
- Recommendations to include instructions for personnel to use a self-rescue device in the case of toxic gas releases. Clarify the roles and responsibilities of the ERT and CMT. Include references to the Spill Contingency Plan throughout the ERP where applicable. Please also provide a link to Transport Canada's Emergency Response Guidebook and ensure that copies are made available to staff and on site.
 - *Section 6.10 does not refer to UG where self-rescue devices would be used. The document has been edited to include reference to mine orientation training that includes donning of a self-rescue device for underground toxic gas releases. Section 6.2.1 references the use of self-rescue device and a reference to mine orientation training has been included in this section also.*
 - *• Section 6.11 references the Spill Contingency Plan. Listing ERT / CMT duties is not applicable.*
 - *• Updates have been made, and a link has been provided to the TC ERG in section 6.15*

Copies of all documents received in support of this submission 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-DOH1335%20AEM/3%20TECH/H%20EMERGENCY%20RESPONSE%20%26%20CONTINGENCY%20PLANNING>

As stated above, Agnico Eagle has submitted updated Hope Bay Spill Contingency Plan (SCP), June 2022 and the Hope Bay Emergency Response Plan (ERP), August 2022 in response to entering the Care and Maintenance phase as per its Water Licence. The NWB has reviewed the updated SCP and ERP, and finds the updated documents functional and generally satisfying Water Licence requirements. By copy of this letter, the Board provides its approval through the Board Motion No. 2022-A1-008, dated October 28, 2022, as per Part H, Item 6 of Water Licence. The NWB encourages the Licensee to address the intervenors' recommendations in the next revision of the approved plans.

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/as/rqd

Cc: Distribution List – Doris North, Kitikmeot