Completeness Evaluation and Comprehensive Technical Review Report

Type A Water License Application

Agnico-Eagle Mines Ltd. – Meadowbank Gold Project

Tehek Lake, NU

February 18, 2008

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INAC Technical Review of Type A Water Licence Application for Meadowbank Gold Project, February 14, 2008

Summary

The INAC Technical Team has prepared this report to summarize the review of the Type “A” water licence application and supporting documentation from Agnico-Eagle Mines Limited (formerly Cumberland Resources Ltd) for its Meadowbank Project. The Nunavut Water Board (NWB or Board) acknowledged receipt of the application on October 4, 2008. The team initially provided a determination of the completeness of the application, including identification of deficiencies on November 2, 2007

Those issues raised in the completeness review have been carried forward and noted as resolved, insufficient information or not resolved with technical questions remaining. Some of these issues may refer back to the Project Certificate issued by the Nunavut Impact Review Board.

1. Introduction

The Department of Indian affairs and Northern Development (INAC) has reviewed the water licence application for the Meadowbank Gold Project in the Kivalliq Region of Nunavut to assist the Nunavut Water Board (NWB) in developing the final terms and conditions of the Type A Water Licence. INAC also retained EBA Engineering Consultants Ltd. (EBA) to review specific components of the water licence application prepared by Agnico-Eagle Mines Ltd. (AEM). These technical components generally encompass mine and quarry design, hydrogeology, surface water, wastewater, waste management, operations and final closure. The review identifies outstanding concerns, data clarifications and recommendations based on documentation available to the reviewers.

2. License Application Review

INAC provided interventions through the Environmental Impact Statement and the Type B water licences applications and reviews. During the review of the Type A Water Licence Application, the INAC review team provided the Nunavut Water Board with comments and a table outlining completeness of the application in 2007. An updated completeness table consistent with the content of this review letter is attached. The reviewers from EBA Engineering and the reports reviewed and referenced are listed in the Appendix. This report provides outstanding specific comments and information requests to address incomplete/unresolved issues to date.

INAC retained EBA to provide additional technical support and advice in hydrological, hydrogeological, geotechnical, permafrost and geochemistry (ARD) areas to address issues related to:

- Mine/Quarry Design and Construction;
- Mine/Quarry Closure and Risk Assessment;
- Potential Acid Rock Drainage and Metal Leaching;
- Abandonment and Restoration of the Mine Site;
- Geotechnical engineering and permafrost issues, including stability of the dikes, dike foundations and pit walls;
- Permafrost engineering and related issues;
- Hydrogeology and hydrology (including water quality and water balance);
- Wastewater treatment technologies; and
- Hazardous materials handling.

INAC will cooperate with other interveners such as the Department of Fisheries and Oceans (DFO) and Environment Canada on the assessment of water quality/quantity issues of concern.

2.1 General Conditions

At this time, INAC and its review team has not provided specific recommendations on scheduling and contents of the Annual Report from AEM to the NWB, other than that the report should provide a comprehensive summary of mine activities, water and waste management disposal volumes and closure planning.

In a December 10th, 2007 letter from the NWB to AEM, NWB appeared to accept the proposal by AEM that the NWB grant a Water Licence with the condition that AEM provided detailed technical review and expert analysis of the final design of the Goose Island Dike. This expert review will be required prior to commencement of the Goose Island Dike. In addition, Dr. Norbert R. Morgenstern suggested in a March 30, 2007 draft letter to Cumberland Resources Ltd. that the Proponent form an independent dike safety review board. This approach has been used at Diavik and other mines and is strongly recommended by INAC and its review team for the Meadowbank Gold Project as a general condition of the Licence.

2.2 Comments Applying To Security

INAC has not provided an estimate for site and/or reclamation security for the technical meeting on the Meadowbank Gold Project Type A Water Licence. An estimate will be provided to the Nunavut Water Board in advance of the public hearing.

2.3 Comments Applying To Design And Construction

2.3.1 Mitigative Measures For Seepage From Tailings Facility (Report # 371 - Rev.1)

The document “Mitigative Measures For Seepage From Tailings Facility” appears intended to address the issues identified in Condition #20 and states “Natural freezing of the Central dyke and the Tailings Storage Facility (TSF) resulting permafrost encapsulation (a natural process resulting from climatic conditions at the site)”. Report # 420 provides the detail on the thermal analyses used to evaluate this assumption including the calculation of seepage through and below the central dyke as unfrozen conditions. If freezing does occur, the calculated seepage should be conservative, as stated in the document.

However, the thermal analysis does not appear to have considered the implications of seepage on the development of permafrost in the dyke or TSF. The analysis of seepage may have over-predicted the development of permafrost in the dyke and TSF. The statement that permafrost in the dyke and TSF is a mitigative measure may be inappropriate. A coupled seepage and thermal analysis should be carried out as originally noted in NIRB Commitment #65.

Reference is made (Report #500) to an evaluation of the effect of groundwater flow on tailings freezing using a coupled model for advective groundwater flow and conductive heat transport. The report infers that this numerical model predicted minimal effects on

the timeframe for tailings freezing, although a clear demonstration of these minimal effects on tailings freezing was not presented.

2.3.2 Final Report, Design Of Dewatering Dykes (Report # 342)

NWB Section 3.5 states that any works should be undertaken in a manner that prevents the deposit of any materials frequented by fish. The design report notes in Sections 6.4.1 and 6.4.2 that a turbidity barrier will be put in place prior to placement of materials in the lake and that the two rockfill embankments will be placed by “bulk-heading” with the till subsequently placed between the two rockfill embankments. Figure 6.1 shows the till being placed somewhat behind the advancing fronts of the two rockfill embankments.

Since the till contains a significant portion of fine material (on average about 25 percent silt and clay sizes), a considerable amount of sediment may be expected to be released into the water column between the rockfill embankments with only the turbidity barrier to prevent the turbid material from reaching the larger lake environment. AEM should consider additional methods to limit the potential release of sediments into the environment such as by placing the entire length of the outer rockfill embankment before any till is placed inside do the rockfill will act as a filter for the sediments reduced by the till when it is placed in the water. The implications of this issue and alternative methods on aquatic resources should also be reviewed.

2.4 Final Design Of Dewatering Dikes

2.4.1 Use of Cement in All Cutoffs

AEM has indicated that the review and acceptance of the final design of dewatering dikes in water depths of 10 m or greater will be deferred to some time after issue of the Type A Water License. This deferral follows a December 10th, 2007 letter from the NWB to AEM where it was established that the NWB is accepting of the proposal by AEM, that the NWB grant a Type A Water Licence with the condition that AEM provided detailed technical review and expert analysis of the final design of the Goose Island Dike at a later date. This expert review will be required prior to commencement of the Goose Island Dike (at least 12 months). Through this change. the Proponent has deferred NIRB Commitment #65.

However, AEM included as part of the documentation for the Type A Water License a March 30, 2007 draft document prepared by Dr. Norbert R. Morgenstern retained to commence the review. Some following comments arise from Dr. Morgenstern.

AEM does not commit to using cement in the cutoff wall for the initial construction for the East and Bay Zone Dikes. If the proposed design approach is to follow an observational approach drawing on experience from design and construction of dikes in water depths of less than 10 m to support (prove) the future design of the same concept for use in water depths of greater than 10 m, then INAC believes that cement should be considered for all initial cutoffs to provide an important link to the rest of the designs, to

reduce the possibility of unexpected high water volume management and to reduce the likelihood of internal erosion.

Dr. Morgenstern highlights that the special considerations of the cutoff wall are:
1. Ability to embed the cutoff wall in the bedrock.
2. Ability to seal the cutoff wall/bedrock interface.
3. Consolidation and resulting properties of the till core.
4. Response of the cutoff wall to lateral loads as a result of deformation of the till core.

EBA, as INAC's consultant, suggested adding internal erosion (piping) at the dike foundation and lakebed contact to Dr. Morgenstern's list of considerations. If an erosion resistant cutoff is not constructed and if the lakebed is not prepared before placing of the till core, a potential exists for piping failure after dewatering of the pit. AEM should show that piping is not a possibility or AEM should either design for the possibility or piping and/or provide clear direction for an Emergency Response to an erosion pipe developing under the dike.

2.4.2 Dike Instrumentation

A key purpose of instrumentation is to provide measured performance information to evaluate the design assumptions and guide any required amendments to the design. The quality of the information may have a significant influence on the ability to assess future designs in deeper water. Several concerns have been identified with the design for the instrumentation program and with the explanation of the instrumentation for the initial dike construction. Some examples of our observation are as follows:

- Specifications call for the use of vibrating wire piezometer model Geokon 4500MLP which is designed to provide intimate contact with the wall of the borehole reducing potential for lag time in monitoring pore water pressure. Literature describing the installation of the 4500MLP references boreholes in cohesive materials which provide wall stability. The core till within the dewatering dike may not exhibit these characteristics and casing may be required to maintain an open hole. Installation may be cumbersome therefore alternative models of vibrating wire piezometers should be explored as a contingency;

- The thermistor cable leads and piezometer cable leads are to be extended from the installation location to the data logger sheds in PVC conduit. No allowances have been made to use multi-conductor cable to limit the quantity of cable lead. From each crosssection of the dewatering dikes there will be 13 to 16 cables that have to be extended and bundled through PVC conduit. This could prove to be a monumental task of managing electrical cables as well as plumbing PVC pipe as each additional cross-section joins up with the trench;

- Specifications for inclinometer casing call for an externally coupled shear wire connection. The anticipated settlements within the core till are 2.5 metres prior to

dewatering. There is no mention of anticipated settlements post pre-loading of the core till and prior to dewatering. There will likely be some settling of the core till however no allowance has been made for collapsible joints in the inclinometer casing. There is a good chance the inclinometer pipe will fail as a result of high vertical deformations due to settlement if it is not allowed to collapse. This would preclude use of the instrument for any longer term evaluations of horizontal deformations;

Slope indicator installations in an uncemented cutoff are expected to be problematic for the dewatering dike cutoffs without adequate strength (typically provided by using cement). The following questions should be raised:

- Do Slope indicator need to be installed in the cutoff? Or would SI's on either side of the cutoff serve the designer's purpose.
- What is the expected strength of the soil-cement backfill within the cutoff wall?
- Will this strength be sufficient to transfer lateral pressures to the inclinometer pipe?
- How will the inclinometer pipe be installed within the soil-cement backfill?
- What method of drilling is proposed?
- What methods are proposed to check the QC of the soil-bentonite and soil-cement backfill?
- Figure 6000-31, Typical Section A, shows the inclinometer pipe and thermistor cable are installed within the cutoff wall. The section is confusing in that it shows lake bed till - the cutoff wall is to extend to the bedrock therefore no lake bed till. Also, the inclinometer pipe and thermistor cable are positioned 5 metres from centerline piezometer. What is the centerline piezometer?
- The report includes a summary table for thermistor cable locations and slope inclinometer locations but not a summary table for piezometer locations.
- Drawing Nos. 6000-31, 32 show typical piezometer layout. Twelve piezometers per cross-section and 16 cross sections. 192 piezometers, 32 thermistor cables (488 beads) and 16 slope inclinometers. Document 342 Volume 1 Section 6.5.6 states 56 piezometers and 18 thermistors.

2.4.3 Central Dike Instrumentation

Several instrumentation constructability and layout questions follow:

- Shallow piezometers are to be placed upstream of grout curtain under a concrete mat and bituminous liner and, as well, thermistor cables and piezometer cables are to be installed along the slope and crest of the embankment through the bituminous liner. Discussions for these sequences is lacking, including whether the installation may jeopardize the integrity of bituminous liner since access for monitoring purpose during construction to the thermistor cable and piezometer cable locations will require foot traffic on bituminous liner.
- Little discussion of piezometer installations within the fault zone was found.
- Horizontal thermistor bead spacing of 20 metres have 6 beads per cable. AEM does not indicate why only 6 beads installed per cable are proposed when closer

spacings would require little extra cost and would permit the failure of a bead without seriously jeopardizing loss of information.
- AEM should clarify why, although the thermistor cable installations extend 5 metres into bedrock, none of the cables are planned to extend deeper into bedrock.

2.5 Comments Applying To Water Use

No technical comments are included at this time on water use.

2.6 Comments Applying To Water Management

Non-contact water is discussed in the context of the proposed final discharge water quality criteria from the Portage and Vault Attenuation Ponds (Report #515). Non-contact water will be diverted and discharged to the receiving environment throughout mining operations, based on water turbidity as the monitored parameter. Greater assurance is warranted to demonstrate that non-contact water has not mixed with water exposed to mining activities, so that all non-contact water can only be released to the receiving environment via a surveillance monitoring location.

The top elevation of the shoreline protection system to protect the diffuser pipe from ice action at the shoreline is set at 135.0 masl for Third Portage Lake. During technical conference calls, AEM agreed to provide the Board with an explanation of how this elevation was determined and an estimate whether this elevation will be exceeded during the lifespan of the project.

2.7 Comments Applying To Waste Management Design and Plans

Supporting document Meadowbank Gold Project Mine Waste and Water Management (Report # 500) outlines the technical aspects of waste management except for the following:

2.7.1 Incineration Waste Management Plan (Report # 581)

This is a conceptual document. The incinerator (type and size or performance) has not been selected nor has the location of the facility been identified. One idea is to locate it near the landfill, although a location nearer to the camp and administration complex may be more appropriate for proximity to electrical power. The document provides only a concept and outline of the proposed incineration plan. All waste materials that may cause odours, are included for incineration (foods, paper/wood, food packaging, sewage sludge, dead animals).
A comment on Page 5 says “the incinerator at Meadowbank will be designed for, and achieve, compliance immediately upon attaining normal full scale operation”. This comment could imply that the incinerator may not be in operation or operate effectively for conditions other than full production. On Page 7, Sec 3.3 it states that any waste ash above criteria will be buried in the tailings storage facility. This may contravene the regulatory requirements. Section 4.0 suggests that the incinerator has not been selected. On Page 14, the data identified suggest that an incinerator may have been

selected but no details are provided. Many sections of this document appear contradictory and need clarification. It also is not clear if the tailings storage facility will be lined to control any unwanted leachate development from materials that cannot go in the landfill.
For license approval, the proponent should provide the initial attempt at selecting the incinerator type and size to handle the projected waste stream. In addition, the proponent suggests a bag house may not be needed. Before drawing this conclusion, the proponent must provide the pre-design selection process for the incinerator and its performance standards and also allow for provision of a bag house, based on appropriate modeling.

2.7.2 Landfill Design And Management Plan – Supplemental Information (Report # 562)

Supplemental information provided on the Portage Rock Storage Facility appears complete. The base of the landfill appears to be on gravel and therefore permeable material. Any potential leachate developed through the base will need to be monitored. The landfill monitoring plan should include both a surface water and groundwater monitoring program. The management plan and the incineration plan allude to waste diversion and purchasing practices to minimize wastes, but details were not provided. For landfill final closure, the final cover must have a design that will provide long-term care of the site that also minimizes greenhouse gas development.

2.7.3 Landfarm Design And Management Plan For Contaminated Snow And Soils (Report # 564)

The holding time for hazardous waste material should be per regulation. The discussion in this document appears to suggest an open-ended period. Page 11 indicates that contaminated snow may be removed. This material should be handled and treated as contaminated water.

2.7.4 Supplementary Information on Sewage Treatment (Report # 602)

The movement and quality of treated effluent is unclear, including transfers to Tear Drop Lake. A model and specification for the proposed sewage treatment plant has been identified (Model L-400, BioDisk Corp., Ontario). The design basis for secondary treatment appears to be sufficient, with waste sludge being sent to the incinerator. However, AEM should clarify, in one document, the route for sewage, especially during construction.

2.7.5 Underground Water Quality

Predictions of mine pit water quality are based on a groundwater monitoring well network of seven wells. For the period 2003 to 2007, 13 groundwater samples plus field duplicates, were collected from which baseline groundwater quality values were presented for the main rock types in the mine pits and tailings storage areas (Reports #317 and #548). This dataset was used in the context of the accelerated mine plan

(8,500 TPD) to predict mine water quality requiring storage and ultimately treatment (Report #499). Parameter sensitivity analyses indicate significant changes to the predictions of mine pit water quantity and quality will occur if the baseline water quality or hydraulic conductivity of the Bay Zone and Second Portage faults, or other fractured rock flows, are under-estimated. Continued validation of this mine pit model is warranted using actual mine pit water data when it becomes available, to compare actual to predicted mine water balance and water treatment requirements for demonstrating the underlying reliability of the basis for all operational and post-closure water quality commitments.

2.7.6 Proposed Water Treatment Methods

The proposed water quality criteria for Portage and Vault Attenuation Ponds (Report #515) describes contact water will be discharged during mine operations, contingent on the water quality complying with the water quality standards specified in the MMER. Contingencies are provided if reclaim (process) water does not meet release standards, although details of contingencies are not described for the attenuation ponds.

2.7.7 Comments Applying To Modifications

No technical comments are included at this time on modifications unless specified in other sections of this report.

2.8 Comments Applying To Contingency Planning

2.8.1 Spill Contingency Plan

The current spill contingency plan is inadequate to cover all aspects of the project and other spill plans exist. Report #483 does not discuss spill contingencies for the proposed all-weather road or marina, which is included under the B licence. Before a water licence can be approved, these contingency plans need to be finalized and accepted. As requested by NIRB, a more comprehensive risk assessment of spills is required to include cyanide, hazardous materials and pit/dike/dam failures with mitigation alternatives and consultation with local communities.

2.8.2 Emergency Response Plan

The currently proposed Emergency Response Plan requires an amendment which will satisfies NIRB's request for involving the local communities in the Plan. Amendments should be completed before a water licence is approved.

2.9 Comments Applying To Closure And Reclamation

2.9.1 Disposal Of Buildings And Infrastructure

If buildings and infrastructure cannot be safely or economically salvaged, the disposal at open pits and/or rock facilities (waste dumps) is only recommended if a strict policy for avoiding placement of toxic or hazardous materials is implemented. A cleaning and

stripping area is recommended to remove oil, grease, fuels, chemicals and any other material which may be harmful to the environment. After placement of these materials into the open pits or rock facilities, a monitoring and remediation program should be developed and established to report on any long-term impacts on the environment.

2.9.2 Tailings Cover

A two metre thick cap is proposed for covering the tailings during reclamation. A plan to install and monitor this capping is recommended to verify the adequacy of the cap and make adjustments as necessary to protect the environment.

2.10 Closure Plan

The proposed closure plan requires amendment to satisfy reclamation of the port facility, rock quarries for road construction and all-weather road (unless this is to become a permanent feature). The closure plans included under the water licences for the road and the lay-down area in Baker Lake should be referenced

3. Conclusions

Not all aspects of the Technical Review have been addressed by INAC. INAC reserves the right to raise additional technical issues at the technical meetings.

Appendix

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- Paul R. Morton, M.Sc., P.Geol., Senior Hydrogeologist and Engineering Geologist
- N. Eric Fier, CPG, Senior Engineer and Director, Mine Planning Services
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INAC, Nunavut Regional Office

Abbreviations And Acronyms

AEM Agnico-Eagle Mines Ltd.
ARD Acid Rock Drainage
Biodisk Sewage Treatment Plant Design
CCME Canadian Council of Ministers of the Environment
DFO Department of Fisheries and Oceans
EBA EBA Engineering Consultants Ltd.
EC Environment Canada
DIAND Department of Indian and Northern Development
Diavik Diavik Open Pit Mine currently operating in Northern Canada
Meadowbank Meadowbank Gold Project
FEIS Final Environmental Impact Statement
Masl Metres above sea level
MMER Metal Mining Effluent Regulations
NIRB Nunavut Impact Review Board
NTI Nunavut Tunngavik Inc.
NWB Nunavut Water Board
TSF Tailings Storage Facility

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