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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

June 23, 2009

**NWB File: 2AM-MEA0815**

Mr. Larry Connell, P. Eng.,  
Regional Manager: Environment, Social and Governmental Affairs  
Agnico-Eagle Meadowbank  
555 Burrard Street, Suite 375  
Box 209, Two Bentall Centre  
Vancouver, BC V7X 1M8  
Via email:

**Dear Mr. Connell,**

**Re: *Water Licence 2AM-MEA0815 – Meadowbank Project Request for Temporary Relief from the Water license Turbidity Standards Applied during Dewatering***

The Nunavut Water Board (NWB or Board) acknowledges receipt on June 19, 2009 of Agnico-Eagle Meadowbank's (AEM) request, on an emergency basis, for temporary relief from the turbidity standards as set in Part D, Item 16 of your water licence<sup>1</sup>.

The NWB staff undertook a preliminary review of your request and the following supplemental information which available on the NWB ftp site at

[ftp://nunavutwaterboard.org/PRUC/2%20MINING%20AND%20MILLING/2A/2AM%20-%20Mining/2AM-MEA0815/3%20TECH/5%20CONSTRUCT%20\(D\)/D16/](ftp://nunavutwaterboard.org/PRUC/2%20MINING%20AND%20MILLING/2A/2AM%20-%20Mining/2AM-MEA0815/3%20TECH/5%20CONSTRUCT%20(D)/D16/)

- June 15, 2009 teleconference notes
- Dewatering e-mail update
- Dewater monitoring June 17, 2009
- Turbidity reading June 17, 2009
- June 18, 2009 teleconference notes

<sup>1</sup> Licence 2AM-MEA0815 Part D, Item 16 states:

16. Effluent from pit dewatering at monitoring stations ST-DD-1 to ST-DD-TBD, shall not exceed the following Effluent quality limits:

Parameter	Maximum Monthly Mean	Short Term Maximum
Total Suspended Solids	15.0 mg/L	22.5 mg/L
Turbidity	15 NTU	30 NTU
pH	6.0 to 9.0	6.0 to 9.0
Total Aluminum	1.5 mg/L	3.0 mg/L

- Turbidity reading June 18, 2009
- Letter to NWB Requesting emergency change of turbidity standards
- Dewatering monitoring June 20, 2009
- Turbidity with or without moving probe June 21, 2009

The *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA or Act) Section 174(1) provides for in the case a Type A licence, exemption from the requirement of a public hearing if:

(ii) any amendment that affects the use flow or quality of waters or alters the term of the licence, where the Nunavut Water Board, with the consent of the Minister, is of the opinion that an emergency exists that requires the amendment

The Board generally defines “emergency to mean a sudden occurrence which requires immediate action to avoid an adverse environmental consequence”.<sup>2</sup> Prior to requesting the consent of the Minister, the Board requests that AEM provide further explanation in writing on the nature of the emergency in relation to licence requirements and protection of the environment specifically, water.

By copy of this letter to other interested parties and the Minister, the NWB is holding its judgment and is requesting written comments on the application by July 2, 2009 at 3:00 p.m. (MT) to Phyllis Beaulieu, Manager of Licensing, [licensing@nunavutwaterboard.org](mailto:licensing@nunavutwaterboard.org). The NWB is particularly interested in the views of the Kivalliq Inuit Association on whether or not AEM’s request raises any Article 20 issues.

The Licensee is reminded that until such time as the Board evaluates the submission from the parties and additional clarification requested from the Licensee, the terms and conditions of the current water licence are in full force and effect.

Should you require further assistance with the Board request, please contact the undersigned at

Sincerely,



Dionne Filiatrault  
Executive Director

CC: Minister INAC  
Meadowbank Distribution List

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<sup>2</sup> NWB Guide2 –Terminology and Definitions dated January 2009 (Draft)