



Richard Dwyer <richard.dwyer@nwb-oen.ca>

Fwd: Questions - Agnico Eagle water permitting process

Richard Dwyer <richard.dwyer@nwb-oen.ca>
Draft To: Karen Kharatyan <karen.kharatyan@nwb-oen.ca>

Wed, Aug 26, 2020 at 12:57 PM

Dear Ms. Autut,

I would like to respectfully submit more information:

i) I believe the SWTP faced downtime because of mandatory corrective orders from the WSCC who sent a team of inspectors to Meliadine and found the building in a dangerous state due to corrupting permafrost and a few other things. In my view, to call these upgrades as if they were planned would not be accurate - though I realize your office was not made aware of this information until now. I did not see the WSCC visit in the 2019 annual report under "Site Inspections" and believe it should have been as the WSCC are Health & Safety Regulators.

ii) In Agnico Eagle's response to CIRNAC (page 62, 63), the issue of SWTP is raised. I am very confused because it's outlined the SWTP is responsible for treating water in CP-1 & CP-5; in Agnico Eagle's own technical reports, they previously noted that "either" the SWTP or EWTP will be treating the water in CP-1. Is it possible to request the operational records from the EWTP for all of 2019?

iii) In Agnico Eagle's response to CIRNAC (page 62, 63) the company noted they performed an internal audit in May 2019. To perform an internal audit means to have planned an audit for an issue known before May 2019. Agnico Eagle knew the SWTP is to remove saline/TDS in the water and it also appears they were very aware the plant was not working as planned from a very early stage, which resulted in excessive saline water inventory on-site, according to the company's groundwater management report.

iv) So, if I may raise the issue to the NWB assuming that is proper protocol, I would like to know why the company did not immediately report SWTP dysfunction in early 2019 to either the Nunavut Water Board, CIRNAC or the Nunavut Impact Review Board, or even the KivIa for that matter as it is a requirement under Project Certificate #006. It was clear the saline water treatment plant dysfunction could be foreseen to put the company out of compliance as managing TDS/saline water is a key requirement for their water license/project certificate.

v) I did provide this information to CIRNAC.

It's not my intention to bombard you, but as you invited questions and feedback, I am respectfully providing it.

Sincerely,

Chris Kanaan

On Monday, August 24, 2020, 05:34:23 PM EDT, Stephanie Autut <stephanie.autut@nwb-oen.ca> wrote:

Thank you for the additional questions. Please find attached a response.

Thank you.



Stephanie Autut- ၂၀၁၈-၂၀၁၉

Executive Director - Directeur général
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On Fri, Aug 21, 2020 at 5:03 PM Chris Kanaan <chriskanaan@yahoo.com> wrote:

Thank you Ms. Autut.

Just a couple more things that may help your team as I took a look:

In the April 2020 groundwater management plan there is no mention of the EWTP in operation.

In the 2019 annual report the only mention of the EWTP pertains to an equipment malfunction which occurred in Sept 2019 and resulted in out of compliance on TDS. I understand their SWTP was shut down for two months in Oct./Nov. due to mandatory corrective order from the Yellowknife-based WSCC which may have led them to re-start the EWTP? Speculation.

In their April 2020 groundwater management plan, the company says they will use the SWTP or EWTP to treat CP-1 water; my memory serves me that EWTP did not operate after the SWTP started in late 2018 and early 2019. This is found under 'executive summary' in the first unmarked pages.

I appreciate your response.

Respectfully

Chris Kanaan

On Friday, August 21, 2020, 06:56:59 PM EDT, Stephanie Autut <stephanie.autut@nwb-oen.ca> wrote:

Thanks Chris...I will have my team follow up on these additional questions and will get a response to you as soon as possible. Thank you.

Stephanie Autut
Executive Director

Nunavut Water Board
(867)222-1884 (cell, when not in Gjoa Haven)
(867)360-6338, extension 22 (office line)

On Aug 21, 2020, at 4:26 PM, Chris Kanaan <chriskanaan@yahoo.com> wrote:

Hi Ms. Autut,

Your response is much appreciated, but I have a couple other questions:

- i) in Agnico Eagle's groundwater management plan which was posted on NWB around April 2020, the company said the 'underperformance' of the SWTP resulted in excess saline water on-site, without elaborating;
- ii) in the #006 project certificate terms, Agnico Eagle is required to notify regulators 'immediately' of anything that could put them out of compliance - which certainly applies to water management. Has Nunavut Water Board considered the extended delay in reporting the SWTP failures to regulators?
- iii) Is the NWB sure that EWTP was functional in 2019? It was offline most of the time I remember after 2018.

Respectfully,

Chris Kanaan

On Friday, August 21, 2020, 05:02:49 PM EDT, Stephanie Autut <stephanie.autut@nwb-oen.ca> wrote:

Thank you for your questions. I have conferred with my Technical team here at the NWB and offer the following response. Should you have further questions, please don't hesitate to reach out by email.

Thank you.



Stephanie Autut- ᐅᐅᐅᐅ ᐅᐅᐅᐅ

Executive Director- Directeur général
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On Mon, Aug 17, 2020 at 6:54 PM Chris Kanaan <chriskanaan@yahoo.com> wrote:

Dear Ms. Autut,

As you wrote to the Nunatsiaq News inviting questions to your personal e-mail and attention regarding your "letter to the editor" pertaining to the Meliadine water ammdement, I do have several questions that I would like to respectfully direct your way:

- i) the NWB accepted Agnico Eagle's word at par (against the will of KivIA) regarding the quality of the water and source of high TDS and high volume; given that the 2019 submissions on Agnico Eagle annual response to comments establish that their Saline Water Treatment Plant was dysfunctional from early 2019, is that something that the NWB plans to look at in retrospect? Agnico Eagle evidently did not inform the Nunavut Water Board, NIRB, or any other regulator regarding their dysfunctional SWTP until at least April 2020 in their groundwater management plan - for those like myself who studied it. It was only because CIRNAC pursued the SWTP failures that Agnico Eagle was seemingly forced into revealing the truth about the cause of high TDS.

ii) the "Type A" water license awarded to Agnico Eagle demands the company *immediately* report anything that would put them out of compliance. Given Agnico Eagle failed to inform regulators of the dysfunctional SWTP, will this be something that the NWB investigates as a violation of their terms and conditions? Agnico Eagle could have forecasted well in advance they would face a TDS "emergency" which led to accumulated volumes as the water was "too toxic" to discharge under current terms and conditions of Type "A" water license. AEM had forecasted a rise of TDS as early as mid 2019 according to their own technical files - which I've studied in-depths.

iii) the NWB stated that Agnico Eagle's water is "non-toxic." What evidence or science was studied to establish such water is "non-toxic" to Meliadine Lake? Can you provide me with information on any other mine in North America or Europe that allows such levels of TDS effluent to be discharged into a freshwater lake?

As you may have read in my article in the Nunatsiaq News, the Red Dog mine in Alaska was almost shutdown in 2010 for breaching 1,500 mg/L of TDS yet the Nunavut Water Board permitted Agnico Eagle to discharge up to 3,500 mg/L without any scientific evidence unique to the lake that it would not harm the local environment.

We are hearing some rumors that Agnico Eagle is going to seek a permanent discharge criteria of 3,500 mg/L for TDS into Meliadine Lake. We are concerned the process is not transparent and does not invite members of the public to provide feedback.

I would really value your feedback to my queries.

Thanks!

Chris Kanaan