



Environmental Protection Operations Directorate  
Prairie & Northern Region  
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ECCC File: 6100 000 008/015  
NWB File: 2AM-WTP1826

October 22, 2018

Via email at: [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca)

Richard Dwyer  
Manager of Licensing  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU X0B 1J0

Dear Mr. Dwyer:

**RE: 2AM-WTP1826 – Agnico Eagle Mines Ltd. – Whale Tail Project – Operational Acid Rock Drainage-Metal Leaching Sampling and Testing Plan**

Environment and Climate Change Canada (ECCC) has reviewed the information submitted to the Nunavut Water Board (NWB) regarding the above-mentioned management plan and is submitting comments via email. ECCC's specialist advice is provided based on our mandate, in the context of the *Canadian Environmental Protection Act*, and the pollution prevention provisions of the *Fisheries Act*.

The following comments are provided:

**1. Classifying Waste Rock**

References

- Section 3.3, Table 3.3 ARD Guidelines used to Classify Whale Tail Pit Waste Rock and Overburden
- Section 5.1, Table 5.1 Adaptive Management Actions Associated with the ARD/ML Plan

Comment

Agnico Eagle Mines Ltd. (the Proponent) classified waste type non-Potentially Acid Generating (NPAG) as no more than one PAG ( $S > 0.1\%$  and  $NPR < 1$ ) for every 8 NPAG samples or no more than one uncertain sample ( $S > 0.1\%$  and  $1 \leq NPR < 2$ ) for

every 4 NPAG samples, using frequency of outlying data (column 3), and further indicates that these waste types can be used for construction (i.e. pads, roads, dykes etc.). Table 5.1 under Mitigation Strategies also says “*Use only NPAG/NML waste rock for site construction and closure*”. ECCC is of the view that when results of Static and Kinetic tests indicate that a sample or waste type (rock) is PAG, or uncertain, it should be managed as PAG regardless of the frequency of occurrence, unless otherwise determined to be non-PAG by confirming tests.

ECCC Recommendation(s)

ECCC recommends that the Proponent explain the rationale for classifying waste rock that meets PAG criteria be classified as waste type non-PAG.

**2. Missing Figure**

References

- Figure 1-1 Location of the Project

Comment

Figure 1-1 is missing from the Plan.

ECCC Recommendation(s)

ECCC recommends that the Proponent update the Plan to include Figure 1-1 Location of the Project.

Should you require further information, please do not hesitate to contact me at (867) 669-4733 or [Melissa.Pinto@canada.ca](mailto:Melissa.Pinto@canada.ca).

Sincerely,

*[original signed by]*

Melissa Pinto  
Senior Environmental Assessment Coordinator

cc: Georgina Williston, Head, Environmental Assessment North (NT and NU)  
ECCC Review Team