



Environmental Protection Operations  
123 Main Street, Suite 150  
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April 21, 2016

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Louise Grondin  
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Agnico Eagle Mines Limited  
Baker Lake, Nunavut, Canada  
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Via email: [louise.grondin@agnicoeagle.com](mailto:louise.grondin@agnicoeagle.com)

**RE: Meliadine Effluent discharge Criteria**

Dear Ms. Grondin,

This letter is a follow up to our conference call on Wednesday April 6, 2016, to ensure that Agnico Eagle Mines Limited (AEM) is clear on Environment and Climate Change (ECCC)'s position regarding the use of *Metal Mining Effluent Regulations* (MMER) limits as compliance criteria (effluent discharge criteria). Your operation is subject to the general prohibitions of the *Fisheries Act* section 36(3), therefore the use of MMER limits is inappropriate. ECCC does not support comparison of sampling results to MMER limits until such time when your operation becomes subject to the MMER.

Section 36(3) of the *Fisheries Act* states that:

*"Subject to subsection (4), no person shall deposit or permit the deposit of a deleterious substance of any type in water frequented by fish or in any place under any conditions where the deleterious substance or any other deleterious substance that results from the deposit of the deleterious substance may enter any such water"*

AEM was reminded that the use of *Metal Mining Effluent Regulations* limits as compliance criteria is not appropriate given that the Meliadine exploration project is yet to trigger the MMER. Pursuant to section 2 (1) & 2 (2) of the MMER, these regulations, were designed to apply to mines that;

2 (1)(a): at any time after June 6, 2002, exceed an effluent flow rate of 50 m3 per day, based on effluent deposited from all the final discharge points of the mine; and

2 (1) (b): deposit a deleterious substance in any water or place referred to in subsection 36(3) of the Act.

2 (2): Despite subsection (1), these Regulations do not apply in respect of mines that stopped commercial operation before June 6, 2002, unless they are reopened after the registration of these Regulations, or in respect of placer mining operations.

When a facility falls under the MMER, the authorization to deposit deleterious substances comes with monitoring and reporting requirements (see <http://laws-lois.justice.gc.ca/PDF/SOR-2002-222.pdf> for details).

This letter has been carbon copied to the other participants from the April 6 call, which included representatives from Indigenous and Northern Affairs Canada (INAC)'s regional office in Rankin Inlet, Environment and Climate Change Canada (ECCC) from Prairie and Northern Region, and Agnico Eagle Mines (AEM) Meliadine Gold Project, as well as the Nunavut Water Board.

If you have any questions, please do not hesitate to contact me or Mr. Curtis Didham, ECCC Enforcement Officer responsible for your facility by phone at (867)975-4644 or by email at [curtis.didham@canada.ca](mailto:curtis.didham@canada.ca).

Sincerely,



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Cc:

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