



Avatiligiyyiit

Department of Environment

Ministère de l'Environnement

July 25, 2007

Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board

via Email to: licensing@nunavutwaterboard.org

RE: NWB FILE# 8BC-MEA – AGNICO EAGLE MINES LTD. – TANK FARM & MARSHALLING FACILITIES WATER LICENSE APPLICATION

The Government of Nunavut, Department of Environment (DOE) has reviewed the water license application from Agnico Eagle Mines Ltd. (previously Meadowbank Mining Corp.) for construction of a tank farm, and storage and marshalling facilities. Additionally, as requested by NWB in their letter of June 29, 2007 DOE has also provided comment on project splitting.

On the matter of splitting the project into a Type B license for the Baker Lake tank farm and marshalling area, and a Type A license for the remainder of the project; DOE does not object to this provided the terms and conditions from the past and future water licenses are incorporated into a single enforceable license, where management, mitigation and monitoring of potential environmental issues are dealt with holistically. For example, spill contingency plans should eventually be contained in one document and not two separate documents although these plans should still recognize different project components and spill response requirements.

Finally, based on our legislative mandate under the *Environmental Protection Act*, we have additional comments to make regarding hazardous material management, and abandonment and restoration.

HAZARDOUS MATERIAL MANAGEMENT

1. Water Quality

Page 26 of the *Water Use and Management Plan* indicated that the proponent will monitor run-off in a sump collected from the tank farm and explosive storage area, for ammonia, oil/grease and TSS prior to the discharge of run-off to the Baker Lake. The proponent states that they will meet the non-point source

discharge standards as outlined in the DOE *Guideline for Industrial Waste Discharges in Nunavut*. However, the non-point source discharge standards are intended for discharges to sewage systems and landfills, not drinking water sources such as the one at the Baker Lake. The DOE therefore recommends more stringent guidelines and/or standards be applied to the monitoring program to address potential concerns related to the drinking water source, but defers the matter to a more appropriate agency with a mandate for human health issues.

2. Spill Contingency Planning

A spill contingency plan should be submitted for review, and the plan should include details such as contact information, methodology for fuel/chemical storage, procedures of spill reporting, spill clean-up and waste disposal, site map, spill training, and content of spill kits. The proponent is recommended to refer to the DOE *Spill Contingency Planning and Reporting Regulations*, and *A Guide to the Spill Contingency Planning and Reporting Regulations* for details.

Additionally, the spill plan should include contingency measures for fuel storage on barges that potentially over-winter on the shore of Baker Lake. Previously in Nov. 2006, Agnico over-wintered fuel barges on the shore of Baker Lake, and a spill plan was later approved by the DOE. The DOE recommends the proponent adopts this approved plan as a model for future spill plans related to the fuel barges, and modify the plans accordingly to reflect future changes. Furthermore, the DOE recommends that in the event of spills or contamination of the Baker Lake (a drinking water source for the Baker Lake Hamlet), Agnico should immediately notify the Hamlet and the residents. This contingency measure should also be incorporated in the spill plan.

ABANDONMENT & RESTORATION

Based on the DOE *Guideline for Contaminated Site Remediation*, we have the following comments to make:

- Soil contaminated by fuel (e.g., soils under an old storage tank) should be treated on site or removed to an approved disposal site and replaced with new soil. Soils in the vicinity of fuel and/or chemical storage should be tested and disposed off if necessary.
- Final inspections of the entire site should be conducted by the proponent and lead agency to make sure that all areas of the site have been reclaimed as much as possible to its previous condition. Soil samples and pictures before and after the project would make this process easy on the proponent and leading agencies involved in determining areas of concern.

The DOE thanks the NWB for giving us the opportunity to review and provide comments on Agnico Eagle Mines Ltd. water license application. Please contact us if you have any further questions or comments.



Yours sincerely,

Original signed by

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