

Chris Kanaan
Montreal, QC H3H 2N8
(438) 345-2223 or chris@ya7oo.com

May 20, 2020

Tara Arko
Director, Technical Services
Nunavut Impact Review Board
PO Box 1360
Cambridge Bay, Nunavut

Subject: Agnico Eagle's response to comments re: 2020 Saline Discharge Strategy

Dear Ms. Arko,

Once again, I would like to thank the Nunavut Impact Review Board for requesting comments regarding Agnico Eagle's 2020 Saline Discharge Strategy and permitting me to leave me feedback on this important issue. I would also like to thank Agnico Eagle and Mr. Jamie Quesnel for responding to my submission.

QUESTIONS NOT ANSWERED

Unfortunately, most of my questions which were relevant to the process have been overlooked. Mr. Quesnel writes that the operation of the SWTP and discharge criteria are not currently under consideration by the NIRB. I would raise issue with this statement because the SWTP is very relevant to what should be considered in this process and meeting effluent discharge conditions. In Mr. Quesnel's own words, the water discharged from the SWTP goes to CP-1, which is the source of out-of-compliance water, high in TDS (total dissolved solids) that Agnico Eagle wishes to discharge into Meliadine Lake. If the SWTP does not function as designed, how can Agnico Eagle safely discharge of this water into Meliadine Lake when it contains high TDS?

QUESTIONS HAVE ARISEN FROM HOW TDS LEVELS BECAME ELEVATED IN CP-1

I reviewed the documents submitted to the Nunavut Water Board under "**2020 Emergency Amendment**"¹ and there was multiple issues raised about the source of TDS in CP-1 which is relevant to the process when considering whether Agnico Eagle should be able to discharge of out-of-compliance water into Meliadine Lake. In a letter from Crown Indigenous Relations and North Affairs, posted April 14, 2020, they raised question of why Agnico Eagle can't treat the water rather than discharge it into Meliadine Lake.² In a submission from Environment Climate Change Canada, the regulator raises issue that affects from water with 3,500 mg/L of TDS has not been properly assessed for Meliadine Lake.³ In a submission from the Kivalliq Inuit Association, their technical department raised issue that Agnico Eagle has not properly explained how TDS levels in CP-1 have become elevated.⁴ Agnico Eagle suggests increased TDS levels in CP-1 are merely from construction activities and increased precipitation.

1 <ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEL1631%20Agnico/2%20ADMIN/3%20SUBMISSIONS/2020%20Emergency%20Amendment/>

2 <ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEL1631%20Agnico/2%20ADMIN/3%20SUBMISSIONS/2020%20Emergency%20Amendment/200414%20AM-MEL1631%20Emergency%20Amendment%20CIRNA%20Submission-IMLE.pdf>

3 <ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEL1631%20Agnico/2%20ADMIN/3%20SUBMISSIONS/2020%20Emergency%20Amendment/200402%20AM-MEL1631%20Emergency%20Amendment%20ECCC%20Comments-IMLE.pdf>

4 [ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEL1631%20Agnico/2%20ADMIN/3%20SUBMISSIONS/2020%20Emergency%20Amendment/200414%20AM-MEL1631%20_J200028%20KIA%20CP1%20Discharge-English%20\(1\)-IMLE.pptx](ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEL1631%20Agnico/2%20ADMIN/3%20SUBMISSIONS/2020%20Emergency%20Amendment/200414%20AM-MEL1631%20_J200028%20KIA%20CP1%20Discharge-English%20(1)-IMLE.pptx)

HAS THE SWTP OPERATIONAL PROBLEMS AFFECTED TDS LEVELS IN CP-1?

It is very clear there has been multiple issues raised as to how TDS in CP-1 became so elevated and questions surrounding Agnico Eagle's capabilities to treat the water into a state of compliance, which means reduced TDS levels to 1,400 mg/L or less, to meet conditions associated with. Agnico Eagle was aware of poor SWTP performance as early as July 2019 (their own submission notes Q3) where the SWTP operated at only 46.5 m3/day of capacity, rather than the intended 120 m3/day.⁵ In Q1 and Q2, 2019, the company stated the SWTP was operating "as design." If Agnico Eagle was aware of problems with the SWTP, why did the company wait so long to inform regulators? The earliest report I can find posted publicly pertaining to SWTP dysfunction is from April 2020, in submissions to the Nunavut Water Board public registry, although it was for information pertaining as early as Q3 2019, which may have affected elevated TDS levels in CP-1, which may have led to the current environmental emergency which the proponent is seeking a rushed amendment for.

SEEKING ANSWERS TO INITIAL SUBMISSION FROM MAY 8, 2020

I would like to once again seek answers to my questions, which I believe of are value to the Nunavut Impact Review Board process, including to the Hamlet of Rankin Inlet and the Kivalliq Region. Environment is an important issue for Rankinmiut and Nunavummiat. The discharge into Meliadine Lake was set at 1,400 mg/L for a reason and there is no sufficient information provided by the proponent that assures Rankinmiut and regulatory authorities that an increase to 3,500 mg/L will not have detrimental affects on their environmentally sensitive freshwater lake, which is an important source of nutrition for the community. The question whether Agnico Eagle has the capabilities to reduce TDS levels at all to meet permitting conditions is an important one. The question of whether Agnico Eagle was aware of shortcomings to treat the water as early as Q3 or earlier, should be taken into consideration and not be overlooked in my view.

- To determine the primary cause of elevated TDS in CP-1
- To determine the proper commissioning date of the SWTP
- To determine the proponents current TDS/saline treatment capabilities
- To determine how a 48-day outage in the SWTP in 2019 affected TDS levels or saline water volumes in CP-1 and why the issue was not raised to regulatory authorities in a timely fashion.
- To determine why excess water was pumped from underground then treated during the months of shutdown and determine whether increased pumped volumes from underground to surface ended up in CP-1 untreated.
- To determine why issues with the SWTP were not raised when the proponent became aware of troubles.

Sincerely,

[Digitally Signed]

Chris Kanaan

5 <ftp://ftp.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MEL1631%20Agnico/3%20TECH/B%20GENERAL/2%20ANNUAL%20RPT/2019/200414%202AM-MEL1631%20Appendix%20I-2%202020%20Groundwater%20Management%20Plan%20Version%205%20Final%20w%20Appendices-IMLE.pdf>