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Sent: Tuesday, June 6, 2023 2:29 PM
To: nirb info
Subject: [EXTERNAL] Transport Canada's comments for Agnico Eagle Mine Limited's Meadowbank Complex 2022 Annual Report

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To the Nunavut Impact Review Board,

In response to the Nunavut Impact Review Board's request of April 26, 2023, Transport Canada has reviewed Agnico Eagle Mine Limited's (AEM) Meadowbank Complex 2022 Annual Report. Please note that Transport Canada's review was limited to those areas of the annual report that are relevant to the Department's mandate and jurisdiction/areas of expertise.

Transport Canada's comments on the Meadowbank Complex 2021/22 Annual Report cover two topic areas:

1. Marine safety and security
2. Transportation of Dangerous Goods (TDG)

In summary, based on the information available to date the Project is now in compliance with legislation administered by the Transport Canada. More specific comments from Transport Canada's review of the Project's 2022 Annual Report follow below.

1. Marine Safety and Security

I. Compliance and Inspections:

On site of the Project's Oil Handling Facility (OHF) was completed in October 2022. No issues or concerns were identified from the inspection. The Project was in compliance with the regulatory requirements of part 8 of the *Canada Shipping Act, 2001* (CSA 2001) and the Environmental Response Regulations.

An inspection of the Project's marine facility was last conducted in 2021. The facility was in compliance with the Marine Transportation Security Regulations.

II. Information regarding the Oil Pollution Emergency Plan (OPEP) and Oil Pollution Prevention Plan (OPPP) for the Project:

For the information of the Board and the Proponent, under section 12 of the Environmental Response Regulations passed pursuant to CSA 2001, there is a requirement for the owner of an OHF to complete annual reviews and if necessary update the Project's Oil Pollution Emergency Plan (OPEP) and Oil Pollution Prevention Plan (OPPP). If plans are updated, they must be submitted to Transport Canada no later than one year after the update. As required under the CSA 2001, the facility will need to notify Transport Canada of proposed changes to the OHF's operations relating to the

loading or unloading of oil to or from vessels (180 days in advance of the change). The facility is also required to submit a revised OPEP/OPPP 90 days before a change in operation.

Recommendation: Transport Canada recommends to the Board and the Proponent that an up-to-date OPEP/OPPP continue to be included in future annual reports for the Meadowbank Complex.

III. Additional Information – Marine Safety and Security:

Transport Canada would like to remind the Proponent of two particular pieces of information regarding marine safety and security:

- Before the facility interfaces with a foreign flagged vessel or a Canadian flagged vessel on an international voyage, AEM is required to comply with the *Marine Transportation Security Act* and Regulations.
- Marine shipping standard operating procedure: Vessel operators serving the Project should be made aware of the 2023 Annual Notice to Mariners, and in particular section A2 Marine Mammal Guidelines and Marine Protected Areas and section 7A Voyage Planning for Vessels Intending to Navigate in Canada's Northern Waters (see: Annual Notice to Mariners at https://publications.gc.ca/collections/collection_2023/mpo-dfo/Fs151-4-2023-eng.pdf).

2. **Transportation of Dangerous Goods**

I. Inspections and Compliance:

Transport Canada did not conduct a Transportation of Dangerous Goods (TDG) inspection, either remotely or on-site, of the Project in 2022. Transport Canada's TDG group did not receive any complaints or concerns about the Project in 2022. No enforcement actions were undertaken.

Please contact me if you have any questions about Transport Canada's review.

Regards,

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