

# METAL AND DIAMOND MINING EFFLUENT REGULATIONS

## MINE TIP 1

### GENERAL OVERVIEW: NEW METAL OR DIAMOND MINES

#### Federal Regulations under the *Fisheries Act* may apply to you.

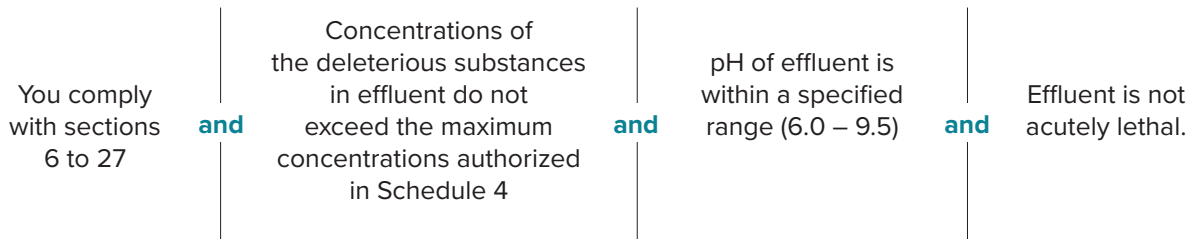
To help protect fish and fish habitat, the *Metal and Diamond Mining Effluent Regulations* regulate the deposit of mine effluent and waste rock into water frequented by fish.

#### The Regulations may apply to your mine if:

- It is a metal mine or a diamond mine;
- It exceeds an effluent flow rate of 50 m<sup>3</sup> per day at any time, based on the effluent deposited from all the final discharge points of the mine; and
- It deposits a deleterious substance that enters or may enter water frequented by fish as described in subsection 36(3) of the *Fisheries Act*.

#### Authority to deposit effluent

Section 4 of the Regulations authorizes the deposit of effluent containing deleterious substances prescribed in section 3 (arsenic, copper, cyanide, lead, nickel, zinc, suspended solids, radium 226 and un-ionized ammonia) in any water or place referred to in subsection 36(3) of the *Fisheries Act* if:



Based on some of the requirements of sections 6 to 27 of the Regulations, the owner or operator of a mine must:

- submit information to Environment and Climate Change Canada (ECCC) no later than 60 days after the mine becomes subject to the Regulations (subsection 8(2) and section 9);
- not combine effluent with water or any other effluent for the purpose of diluting effluent before it is deposited (section 6);
- conduct Environmental Effects Monitoring studies (section 7 and Schedule 5);
- monitor and test all effluents, and report results (Part 2, Division 2);
- notify ECCC when there are changes to the commercial operation status of the mine (section 26); and
- keep for at least 5 years all records, books of accounts or other required documents (sections 11 and 27).



## Tailings Impoundment Areas

Section 5 of the Regulations authorizes the deposit of mine waste (such as waste rock, tailings and effluent) containing any concentration of deleterious substance into a **tailings impoundment area** that is either:

- a water or place set out in Schedule 2 of the Regulations; or
- a confined disposal area other than a disposal area that is or is part of a natural water body that is frequented by fish.

For a metal or diamond mining project that proposes to use a natural water body frequented by fish as a tailings impoundment area, it is the proponent's responsibility to:

- ✓ prepare an assessment of alternatives for mine waste disposal;
- ✓ prepare a fish habitat compensation plan (section 271); and
- ✓ participate in public and Indigenous consultations.

You may be authorized to deposit into a tailings impoundment area if you comply with sections 7 to 28.

LIST OF AVAILABLE FACT SHEETS
<b>Mine Tip 1</b> General Overview: New Metal and Diamond Mines
<b>Mine Tip 2</b> Reporting Information
<b>Mine Tip 3</b> Final Discharge Points

### FOR ADDITIONAL INFORMATION:

Visit the Metal and Diamond Mining Effluent website at

[Canada.ca/metal-diamond-mining-effluent](https://Canada.ca/metal-diamond-mining-effluent)

If the information you need is unavailable on our website, please contact Environment and Climate Change Canada at [mdmer-remmmd@ec.gc.ca](mailto:mdmer-remmmd@ec.gc.ca)

### DISCLAIMER

This information does not in any way supersede or modify the *Metal and Diamond Mining Effluent Regulations*, or offer any legal interpretation of those Regulations. Where there are any inconsistencies between this information and the Regulations, the Regulations take precedence. A copy of the Regulations is available at the following website: <https://laws.justice.gc.ca/eng/regulations/SOR-2002-222/>.

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