



Box 32, Wekweètì, NT X0E 1W0
Tel: 867-713-2500 Fax: 867-713-2502

#1-4905 48th Street, Yellowknife, NT X1A 3S3
Tel: 867-765-4592 Fax: 867-765-4593
www.wlwb.ca

August 14, 2026

File: W2022L2-0001

The Honourable Jay Macdonald
Minister of Environment and Climate Change
Government of the Northwest Territories
P.O. Box 1320, Yellowknife NT X1A 2L9

Sent by email

Dear Minister Macdonald,

Re: URGENT – Unauthorized Disposal of Waste at the Ekati Mine

The Wek'èezhìi Land and Water Board (WLWB or the Board) is reaching out regarding an important matter that requires your immediate attention.

The WLWB received an urgent request from PricewaterhouseCoopers Inc. (PwC), the receiver for the Project, for consideration of the final closure of the Misery Underground Mine.¹ The Board recognizes the unique circumstances of the situation and demonstrated maximum flexibility and accommodation in rendering a decision within 24 hours.² Within its decision the Board provided clear direction to PwC that disposal of emulsion into the Long Lake Containment Facility (LLCF) was not authorized. From discussions during a meeting on August 12th, 2026 with PwC, GNWT-ECC, and Board staff, the Board has become aware that PwC continued to dispose of emulsion into the LLCF following receipt of the Board's direction. PwC indicated it received authorization from the Inspector to carry out this unauthorized disposal and understood this to be acceptable given that Burgundy had disposed of emulsion into the LLCF beginning in June 2025.

This is concerning to the Board given the Board instructed PwC not to continue this unauthorized disposal and PwC did not abide by this decision. As per Part B, Condition 26, of the Water Licence, the Licensee is required to comply with all directives issued by the Board in respect of the implementation of the conditions of this Licence.³

¹ See WLWB Online Registry for [Ekati – CRP – Request to Permanently Close Misery Underground – July 29 26](#)

² See WLWB Online Registry for [Ekati – CRP – Request to Permanently Close Misery UG – WLWB Response – Jul 30 26](#)

³ See WLWB Online Registry for [Ekati – Renewal – Water Licence – Issuance Letter and Licence – Dec 1 23](#)

By continuing to deposit emulsion in the LLCF, this is a non-compliance with the Licence. As per item 77 of the Rules of Proceeding, the Board may be required by legislation, or may decide on its own motion, to hold a Public Hearing to better carry out any of its land or water management responsibilities.⁴ The Board could consider the suspension of the Water Licence for the activities at the Ekati Mine given this direct non-compliance with Board direction. The Board requests your presence at a meeting within the next five business days to discuss the situation. The Board respectfully requests under s. 22 of the MVRMA that your department provide the following information, and ideally as much of it in advance or during the meeting:

- All correspondence between the GNWT-Inspector and Burgundy regarding emulsion within the last 18 months;
- All correspondence between the GNWT-Inspector and Burgundy regarding any disposal of waste to the LLCF within the last 18 months;
- Specific reference to Licence conditions and/or approved management plans that GNWT believes authorized this disposal;
- All correspondence between GNWT-ECC staff and PwC staff in the last three months regarding disposal options for the emulsion at the Ekati site;
- The written confirmation from the GNWT-Inspector providing authorization from the Inspector for PwC to dispose of the emulsion into the LLCF; and
- Confirmation when the disposal of emulsion into the LLCF by PwC began and was completed.
- Confirmation of how much emulsion has been disposed since 2025.

Please coordinate with our staff to find a time that we may connect to discuss the matter further.

Yours sincerely,



Mason Mantla, Chairperson

Wek'èezhìi Land and Water Board

Bcc'd to: Ekati Distribution List

⁴ See WLWB (www.wlwb.ca) 'Rules of Procedure' webpage for MVLWB [Rules of Procedure Including Hearings](#), p. 13