



**Independent Environmental Monitoring Agency**

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**Summary of Discussion from the  
Inter-Agency Coordinating Team (IACT)  
Meeting of January 24, 2003 Meeting**

**Participants:**

John Witteman	BHP Billiton (BHPB)
Jane Howe	BHP Billiton (BHPB)
Latisha Heilman	MVLWB
Tamara Hamilton	DIAND Environment Conservation
Darnell McCurdy	DIAND Operations
Buddy Williams	DIAND Land Administration
Malcolm Robb	DIAND Mineral Development
David Balint	DFO
Lionel Marcinkoski	RWED
Gavin More	RWED
Anne Wilson	Environment Canada
Sean Kollee	Independent Environmental Monitoring Agency (Agency)

Meeting began at 1:25pm

**Chair: Tamara**

**Square Table Updates:**

**John**

BHPB will have completed the requirements for ISO 14001 by early April, and will operate for three months then undergo a compliance audit. This system is publicly available, unlike the earlier Environmental Management System, which was proprietary.

The Contingency Plan update, which includes the expansion, is done and will be sent to the MVLWB. Lionel asked whether changes have been highlighted for easier reviewing; John replied that this was not done because the format was completely redone to meet the ISO standards. MSDS sheets aren't included (but are hyper-linked at site), and the updated plan includes the expansion project. The winter road is now under a separate contingency plan.

Fox dewatering will start soon, and BHPB has had to do a risk assessment for the 132 m<sup>3</sup> of water in the line that would potentially drain to a low point at the Fox Bridge. A contingency for disposal was developed using two Ts in the pipe; one drains to the area

on the road, and the other to a sump built up with snow. Upstream valves are being added by the tank farm. The flocculant plant is in place and ready for operation. On Wednesday there will be a starter meeting for construction of the Bearclaw Dam, which is being supervised by EBA.

The BHPB environmental workshops are Feb. 3 & 4 and the winter survival course is rescheduled for Feb. 21<sup>st</sup>.

## **Jane**

BHPB has received the last of the authorizations from DFO for the Sable, Pigeon, and Beartooth project. Dave Balint was asked to provide this in pdf format for distribution to others.

The Misery Prototype Land Treatment Project water licence is anticipated. BHPB has committed two million dollars to purchase the equipment for this. They will be meeting with EC next week to discuss monitoring.

## **Darnell**

Darnell has been reviewing the draft MPLTP licence and has concerns with putting in an SNP, as this duplicates the established site at 1616-43 where licence limits must be met. This does not need to be further regulated, and experimental results will determine water quality.

During a site visit in early Jan. Darnell participated in the trial treatment of hydrocarbon-contaminated soils using the asphalt plant. Results seemed favourable; the plant removed hydrocarbons from the soil but air quality might be an area of concern. This may be used to deal with the contaminated material out of the old camp. Darnell noted that stack temperatures were up to 330°C. Helen Butler is putting a report together on the trial.

A trip is planned for Feb. 17<sup>th</sup> with Julian (Diavik Inspector) driving up the winter road and inspecting both mines. A little light reading...the 2002 AEMP and WEMP reports.

John mentioned that there are 10,000 m<sup>3</sup> of contaminated materials at old camp requiring treatment, plus the contents of the land-farm. Materials are put through the crusher first, then the asphalt plant. The goal is to reduce hydrocarbon levels to <500 ppm. The treated materials will be used as landfill cover. Jane noted that the RWED criteria being used is that for parkland (<500 ppm) and industrial would be <1500 ppm.

Anne noted that EC would like to participate in future trials due to air quality concerns. These are based on field observations from previous treatment using the asphalt plant.

Buddy queried whether the heat treatment is intended to replace the land-farm. John replied that this is much quicker, and the land-farm is full. The land-farm is better used for contaminated snow.

## **Gavin**

Gavin is close to finishing the permit reviews. Concerns with the Misery project are mostly with air quality, and establishing baseline first. RWED is revising their submission on the 2001 annual report.

### **Malcolm**

No update.

### **Anne**

EC has been participating in the review of the Misery land treatment licence, and is setting up meetings to design the monitoring study. The monitoring program will be a multi-disciplinary study and will involve a terrestrial toxicologist (Dr. Mark Wickstrom) and a soil expert from the U of S, air quality specialists from EC and RWED, mammal experts, and water quality specialists. A site visit for the U of S people is planned for mid-March. Anne asked what licence term was being requested for the MPLTP and was advised 5 years.

Other studies underway include the Long Lake monitoring; EC will go in and collect benthic, water and sediment samples from cells D and E in March as part of the ongoing study of changes to the tailings impoundment facility. The benthic recolonization work being done by the U of S has one more field season. The coagulant study is getting underway with lake trout toxicity work being done for both acute and chronic effects.

Dave Fox of EC is reviewing the air quality reports recently received, and will be attending the air session at the upcoming workshops.

### **Latisha**

The submission date for the Wastewater and Kimberlite Management Plan has been extended to May 31<sup>st</sup>. The next Board meeting is February 13<sup>th</sup>. The atomization licence is underway. Latisha had a working meeting on the draft with DIAND Water Resources and EC on Jan. 22<sup>nd</sup>. BHPB's concerns with not seeing a draft were acknowledged, and Latisha thought a draft would be ready for the company to review by the 29<sup>th</sup> or 30<sup>th</sup>. It was noted that proposed conditions are general. Latisha mentioned that the Inspector's concern with having an SNP on this licence has been acted on and the SNP deleted.

John pointed out that the weakness with having an SNP would be the problems with groundwater having to meet licence requirements, especially for TSS. Tamara expressed concern with Water Resources wanting an SNP and the Inspector wanting it taken out. Anne gave some background for the meeting at which the need for an SNP was discussed: if the treatment resulted in changes to water quality, such as concentration, measuring and reporting under an SNP would be a mechanism for action. However, Anne commented that the contingency plan covers concerns with unacceptable

changes in conditions triggering action, and the intensive monitoring will identify what is problems, so EC supports removal of the SNP.

Latisha raised the question of the security deposit. John stated that there is minimal surface disturbance, and they don't want to do further letters of credit. He suggested the reclamation estimate for Misery could include this site, as it is only about 3.5 hectares. Tamara stated that it could be included in this year's annual water licence and Agreement reclamation cost estimate, as part of the Misery site.

## **Buddy**

Not much new on Lands. When construction of the Sable Road is complete and as-built drawings are available, the License document will be finalized.

Buddy was interested in the reviewing the Tracking requirement sessions, if time permitted today.

Darnell queried whether the Ekati mine is/or could be used for the disposal of contained materials resulting from the Tibbitt to Contwoyto Lake Winter Road operation. Buddy outlined the issue, as it relates to the Ekati mine. Essentially the issue is whether this use was already approved or needs to be approved under the current Mines authorizations. The issue arose from the last IACT meeting, when Chris Hanks stated the Ekati mine would be used for contaminated materials disposal resulting from the winter road operation. Until a new (updated) spill plan is to be submitted for the winter road, it is not known for certain if this will actually be the case. IF and when it is submitted, the question can be raised again. Jane mentioned that the plan is almost done. Darnell has checked the existing authorizations, and find that they neither authorize nor prohibit this use - this is a grey area. John noted that having the wastes disposed to one location, that is central and monitored continuously, was better than establishing a new waste site that is only seasonally checked. The fact that the waste site was near capacity was noted. The DIAND Lands division supports minimizing the number of waste disposal sites on Crown Lands. Buddy raised the question of spills/contaminant such as cyanide or other waste constituents and whether they would pose a problem for the landfill. Buddy asked if the activity impacts current mine operating plans, security requirements and Crown liability.

He also noted that the new winter road Licence of Occupation has been issued effective 01/05/03, for a term of 30 years. RWED asked for a copy, however the LoO is not a public document, and anyone wishing a copy would need to check with the Licensee's or have a letter of support from the Licensees for us to give a copy. DOT, GNWT were provided a copy.

Not much new on Lands. Once the Sable Road is built that permit will be finished. Buddy was at the tracking meeting and wondered if there would be further discussion after the IACT meeting. With respect to the winter road discussions, Darnell queried whether Ekati would accept spilled materials; Buddy replied this might not have been factored into authorizations. A new (updated) spill plan is to be submitted for the winter

road, and can raise the question then. Jane mentioned that the plan is almost done. Darnell has checked the existing authorizations, and find that they neither authorize nor prohibit this use - this is a grey area. John noted that having the wastes disposed to one location, that is central and monitored continuously, was better than establishing a new waste site that is only seasonally checked. Buddy raised the point that spills of substances such as cyanide or other waste constituents could be a problem. He noted that the new winter road Licence of Occupation has been issued for 01/05/03, for 30 years. The LoO is not a public document, and anyone wishing a copy must check with the holders.

### **Tamara**

Tamara has been working on the Environmental Agreement five-year review, and there are minor changes in progress. This should be done soon. Nothing has been received from the Aboriginal Peoples as to the need to hold a meeting to discuss the Agreement amendments further. Tamara is reviewing the ARD document, and will be getting an update from Waters on their comments on the AEMP.

DIAND convened a tracking meeting on Jan 20, and good progress was made. Scoping of the tracking needs will be underway next.

Approval of the annual report will be done once the GNWT revisions to their comments are received. Water Resources reclamation guidelines are in their third draft, and have been reviewed by Helen Butler. Malcolm noted that these are NWT specific, and reflect the specific NWT or Nunavut Boards and agencies, and the different legislation. The guidelines are based on MAC national work and reference documents already out there.

Tamara needs an update from Helen on completion criteria. John replied that they hope to finish these within the year, and noted that BHPB is developing government policy where none exists. Malcolm commented that the guidelines incorporate best practices work on what constitutes a finished product, for example, revegetation criteria. Tamara has questions on two reports on reclamation studies and research, and John replied these documents should be out Monday.

Following the workshop on a single regional monitoring agency, Tamara noted that the report from Terraplan summarizing the results of the workshop would be out in the next weeks, to be followed by a discussion paper.

### **Dave**

The authorization has been issued for Sable, Pigeon, and Beartooth after community consultations, and DFO will be sending a letter to the communities to let them know. DFO will be meeting with BHPB on Carrie and Desperation plans. Dave advised that Marc Lange has accepted a one-year assignment with DIAND's Contaminants division, and Elaine Blais will be filling Marc's position at DFO.

Lionel asked about the wind generator project; John advised that a 30 m tower has been installed to collect wind data. Problems with hoar frost and rime ice made it necessary to heat trace the tower.

## **Sean**

Sean presented an update from the Agency office and board of directors and mentioned that the February board meeting has been scheduled around the BHPB annual environmental workshops. Carole Mills will be participating in the Board meetings starting February 1, 2003.

A TK workshop will be held jointly with EMAB in mid-March. Attendance will be by invitation only and limited to board directors and the five aboriginal society members of EMAB plus staff from both mines. It will be held at the Air Tindi building with GeoNorth facilitating. The TK workshop is part of the Agency response to feedback from our aboriginal members who would like to see greater community involvement in environmental management of the mine. Compared to other workshops the EMAB-IEMA objectives will be more selective. Rather than attempting to collect a large volume of TK, the workshop will direct the participants to generate procedures about how community knowledge should be used at diamond mines.

BHPB Technical reports have been distributed to the Directors for review; they won't be commenting on the second draft of the MPLTP licence. In answer to a question from Tamara, Sean confirmed that the Board would not be participating in the upcoming cumulative effects (CE) workshop that EMAB is putting on.

**Meeting Adjourned at 2:45 pm.**

**Next meeting: March 7, 2003 at the Agency boardroom 1:15 pm.**