



Independent Environmental Monitoring Agency

P.O. Box 1192, Yellowknife, NT X1A 2R2 • Phone (867) 669 9141 • Fax (867) 669 9145
Website: www.monitoringagency.net Email: monitor1@yk.com

Summary of Discussion from the Inter-Agency Coordinating Team (IACT) Meeting of February 16th, 2004

Participants

Carole Mills	IEMA
Sean Kollee	IEMA
Buddy Williams	Dep. of Indian Affairs and Northern Development (DIAND)
Eric Yaxley	DIAND
Malcom Robb	DIAND
Lionel Marcinkoski	DIAND
Lisa Lowman	Environment Canada (for Anne Wilson)
Elaine Blais	Department of Fisheries and Oceans (DFO)
Julie Dahl	DFO
Chris Hanks	BHP Billiton (BHPB)
Helen Butler	BHPB
Jane Howe	BHPB
Latisha Heilman	Mackenzie Valley Land and Water Board (MVLWB)
Sarah Baines	MVLWB
Jason McNeil	Resources, Wildlife and Economic Development (RWED)
Colleen Rhodes	RWED

Chairperson: Eric Yaxley

Eric mentioned main purpose of the meeting would be a presentation by BHPB of its *Abandonment and Reclamation (A&R)* Plan and the IACT round table update. BHPB agreed to provide its presentations that were requested for the IACT record.

Updates:

The Agency

Carole announced the IEMA (along with the MVLWB) would be hosting an environmental workshop on March 16 and 17th to replace the public workshops previously held by BHPB. The first day will cover aquatic effects related reports and the second day wildlife effects related reports. Aboriginal parties, regulators, BHPB and the host organizations will be invited to attend, offer presentations and engage in discussions. The IEMA will present introductions to each plan and summarize BHPB's field season results from 2003.

BHPB replied that its consultants cannot attend but BHPB would send a staff member. BHPB indicated its surprise that IEMA was planning to organize such an event. Fiscal restraints require BHPB cut back its environmental programs and it is trying to do cuts in a way that does not impact the actual monitoring programs. The workshop is scheduled to take place after the draft 2003 Annual Monitoring Report comment period had lapsed and BHPB indicated that the reports and 2004 monitoring programs would likely be finalized by that time.

Carole discussed the Aboriginal Caucus meeting that brought together the Agency Aboriginal members to discuss forming a regional monitoring agency (RMA) and environmental monitoring of Ekati. Many of the comments related to preserving the technical expertise of the Agency as well as the positive aspects of EMAB, therefore the RMA could be a hybrid of the two agencies. The Agency agreed to distribute final copies of the Aboriginal Caucus report as well as post it on the web as soon as possible.

On the subject of the BHPB exemption for its water licence application the Agency did not support the exemption as was written in the BHPB letter to the MVLWB.

MVLWB

Latisha discussed the process of setting deadlines for the review of BHPB management plans. The MVLWB is considering undertaking more active reviews of plans. It will set a five-week period and five days prior to the deadline a meeting will be hosted to review the report and ask questions of BHPB. Any unresolved issues or questions could be submitted in writing for follow-up. This could be then taken to the MVLWB for a decision. The *Processed Kimberlite and Wastewater Management* plan was cited as an example for this new process.

Latisha noted that the MVLWB is meeting within two weeks to review the BHPB exemption application. Sarah and Latisha will be sharing review of the BHPB file.

BHP Billiton

BHPB provided an update on surface and underground operations at the mine, recent inspections, the winter road, and development of Cell A at the Long Lake Containment Facility. BHPB distributed a *Wastewater and Processed Kimberlite Management plan* errata and announced reports due soon including:

- *Spill Contingency Plan*
- Annual Water Licence and *Environmental Agreement* Annual Report
- Chloride Tier 1 Risk Assessment
- Zinc Tier 1 Risk Assessment

Carole asked if the risk assessment conducted by BHPB related to deposition of Fox mine water examined the risks between total suspended solids and coagulants and flocculants use. Julie asked what the resulting TSS would be without the use of flocculants or coagulants. BHPB replied that it cannot settle effluent without additives and it may not have researched the specific question posed during preparation of the risk assessment terms of reference.

BHPB refreshed IACT on its application status for the water licence MV2003L2-0013. The application was submitted December 12th, 2004, it was reviewed for completeness by the MVLWB and distributed on January 6th, 2004. February 3rd was the deadline for comments on the exemption request from BHPB; three comments on the exemption request were received and responded to by BHPB on February 10th. It appears likely that on February 26th a decision on the exemption will be circulated by the MVLWB with suggestions for the focus of comments on the application for March 10th.

BHPB asked the MVLWB if it would be distributing a draft licence. The MVLWB felt that one draft was likely to be distributed. BHPB replied that its objective is to catch outstanding issues prior to ministerial approval.

BHPB presented a best-case scenario for the water licence renewal timeline. The MVLWB replied that if the timeline is too short then an extension would have to be applied for by BHPB.

Environment Canada (EC)

EC is reviewing the BHPB water licence application and did not comment on the exemption request. EC asked BHPB when large-scale reclamation of the processed kimberlite would be attempted. BHPB replied that it depends on the option being put forward for LLCF management that is due in the next year.

Helen Butler's Presentation on the BHPB *Abandonment and Reclamation (A&R) Plan*

Helen mentioned that her idea is to make the *A&R Plan* more understandable and referenced to regulatory requirements. Her presentation is attached as an appendix to the IACT summary and available on the Agency website.

Changes to the *A&R Plan* include BHPB's approach to reclaiming roads. Roads not required for camp operations or monitoring during the reclamation period will be scarified. Culverts and berms will be removed and edges contoured for wildlife access. Roads to be used during reclamation activities will not be scarified, however berms will be broken down and culverts removed at the end of the monitoring period. BHPB was asked if scarifying and contouring road would increase the width of the road and the terrestrial impact. BHPB felt this would not be substantive.

Changes to the LLCF reclamation plans include the intent to establish a vegetated cover that will include a variety of grasses, shrubs and aquatic plants. Upcoming LLCF design changes will potentially affect the reclamation timing of the facility.

For pit-flooding BHPB have three proposed options – natural flooding, pumped flooding and pumped/processed kimberlite flooding. Advantages and disadvantages of each option were considered by BHPB. Sources of water being considered include Lac de Gras, Cell E of the LLCF, Upper Exeter Lake and Ursula Lake. The Sable, Pigeon and

Beartooth water license requires BHPB to prepare terms of reference for a study to assess the potential of converting mined out pipes into pit lakes.

Closure criteria are being developed in part by BHPB. A draft of the NWT Reclamation Guidelines was provided by DIAND to BHPB to assist in this. Specific criteria will be developed over the next two years.

Carole mentioned that the Agency is looking for the Plan to be operational so that if the mine shut down immediately there would be a closure plan and enough security to carry it out. BHPB replied that there is adequate security posted and that if the mine were to close immediately BHPB would implement the previously approved plan, which includes for example natural pit flooding.

DIAND asked if the LLCF was to be rock covered in a former plan, BHPB confirmed this. DIAND then asked if the change to a vegetated cover has been approved. BHPB answered that a vegetated cover was suggested in the Plan submitted July 31, 2003 but has not been approved, although it remains BHPB's intent for the April 2004 *A&R Plan* revision.

The potential to use Beartooth as a pit lake test case was discussed but BHPB currently has underground mining slated for Beartooth and the pit won't be available until 2014. Experimenting with the Bauer tool may lead to the possibility of reducing the size of pits, although the feasibility of this mining method has not yet been evaluated.

Old camp was cited as a possible location for an IACT tour and the subject of a further reclamation case study to assist in development of closure criteria.

Next Meeting – April 30th at the Agency Boardroom, 1:15 pm.