



Independent Environmental Monitoring Agency

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**Summary of Discussion from the
Inter-Agency Coordinating Team (IACT)
Meeting of November 14th, 2005**

Final May 19, 2006

Participants

Kevin O'Reilly	IEMA
Sean Kollee	IEMA
Lionel Marcinkoski	Dep. of Indian Affairs and Northern Development (DIAND)
Rebecca Chouinard	DIAND
Charlotte Henry	DIAND
Velma Sterenberg	DIAND
Anne Wilson	Environment Canada
Dave Balint	Dep. of Fisheries and Oceans (DFO)
Jane Howe	BHP Billiton (BHPB)
Helen Butler	BHPB
Laura Tyler	BHPB
Sarah Baines	Mackenzie Valley Land and Water Board (MVLWB)
Lynn Carter	MVLWB
Colleen Roche	GNWT (ENR)

The Chairperson (Lionel) invited initial comments from Sarah (MVLWB):

- Report tracking for BHPB water licence file will be open to the public and will be updated as required. October 4th 2005 is the official start date for the licence conditions as that is when BHPB officially received the signed licence.
- Jacques Whitford project on lessons learned from the water licence renewal report due in place prior to the Diavik renewal of licence project. All parties have been canvassed to provide comments.
- Results based management system will use the BHPB *Wastewater and Processed Kimberlite Management Plan (WWPKMP)* as the trial file. When asked why a less significant file was not used for the trial run Sarah replied that this was the direction received from the Board. Jane replied that it was fortuitous to the company as the *WWPKMP* is the plan due to be updated.
- *Reclamation and Closure Plan* working group for Ekati will be set up similar to the Con mine file. Its primary role is to provide advice to the Board on the *R&C Plan* sufficiency and on terms or reference (for the plan). The working group does not draft the plan (BHPB responsibility). The Board is likely to approve the format of the working group in next months. All parties will be contacted on participation. Sarah was asked why the ToR is not being made available as a draft

prior to Board approval. She replied that the Board is requesting help for a specific reason and it is not providing direction to BHPB as to what has to be in the plan. There will be attempts to structure the process to make it less cumbersome based on reviewer feedback.

BHPB Presentations

Jane advised that its environmental impact report (EIR) public meeting is set to occur in summer (June) at Ekati over 3-4 days involving a number of tours and meetings. There will be presentations on the management plans including the *AEMP* and *WEMP*. BHPB also promised to provide a revised satellite photo of Ekati to various IACT members. Jane also mentioned that BHPB will be requesting input as to what parties would like to see in the new closure plan.

Helen introduced Laura to IACT as a member of BHPB's long term planning department and that she is now responsible for closure planning. Slides of Helen's presentation on reclamation are available by request to BHPB.

Presentation Summary

Economics of reclamation must be acceptable to company and not increase its liability or interfere with ongoing operations.

Community participation planned includes two meetings:

- Meeting 1 – the purpose of the meeting was to listen and record community suggestions and issues on closure of the three major mine components; and
- Meeting 2 and 3 – community and regulatory visits potentially summer 2006.

Life of mine planning includes a current closure date planned to be in 2020.

Group discussion Summary

Terminology not the focus of the discussion (as it was at the Agency Board Meeting) so the discussion was focussed on gathering suggestions on reclamation of three mine components. The comments were recorded by BHPB and the Agency

Group comments on Open Pits

Suggestions and ideas

Stability of pit walls

Potential for ARD from misery schist or pigeon pit

Metal leaching

Water quality

Put potentially acid generating rock in pits and flood, an integrated approach to pit reclamation at misery and pigeon to reduce problematic areas to a few sites rather than many

Adjust operation so backfilling can be possible

Minimize empty holes – liability issue in future

Recovery to aquatic environment

Encourage meromictic conditions

Bird nesting habitat

Concerns and issues

Natural infill

Pumped flooding

Fish habitat

Transit for fish

Above depend on water quality

Restored

Wildlife safety to prevent access

Pilot project on one pit

Stability of pit wall and permafrost impacts and how large will thaw zone be around deep lakes particularly in koala panda area

Waste Rock

Suggestions and ideas

Ditches to collect seepage?

Ramps to allow wildlife access but not to encourage use

Different criteria depending on aspect

Allow wildlife on piles for insect relief

Contour so that it functions as an esker

Concerns and issues

Thermistors

Climate change impacts

Wildlife safety and access

Long-term slope failure concerns, saturating effects and slumping

Company review issues raised in the past attempts for getting an approved closure plan

Contaminated materials areas how to close the racetrack, landfarm, zone S

Seepage quality

LLCF

Suggestions/ideas

Water cover

Erosion resistant

Use as backfill

Issues and concerns

Stability of rock

Water cover on fluffy tailings

Cover on beached tailings and potential for erosion resistance from water and wind.

Metal uptake in vegetation (currently being studied by rescans)

Build the knowledge base (underway)

Water quality

Seepage from the waste rock

Long-term slurry containment

Physical stability of beaches

Water diversion and management of water long term.

BHPB concluded its discussion by stating that it will take the issues and ideas and conduct risk assessments. A multiple account analysis process will be done that must be manageable and understandable for all parties.

Round Table updates:

DIAND

A meeting is planned to occur on the mediation process for the IEMA budget and work plan with BHPB and governments scheduled to attend. DIAND will be attempting to work toward replacing the two vacant Agency Director positions as early as possible in the New Year. DIAND would like to see IACT meetings scheduled to meet every two months starting with January 16th, 2006. It was agreed that Monday and Thursdays were preferred over Friday afternoons. Rebecca is developing the final version of the minesite reclamation guidelines that must be approved and translated and will be ready in 2006. Comments from DIAND on the BHPB file will have a one-window response through Lionel (EC) and the waters lead is now Rebecca. Velma commented that she participated in the reclamation guidelines review and appreciated the particularly the detailed comments. In February of 2006 the mineral development division will be hosting a workshop on modelling involving the U.S. Geological Survey on geo-environmental modelling of mineral deposits. The modelling describes a mineral deposit as to how it relates to the environment and aids in planning for reclamation and closure.

GNWT

GNWT requested to see the draft *WEMP* when it is available and a list of ongoing projects or development related to the MAA for the LLCF such as a summary report on the event. Jane agreed to send a copy around of the project completed by Andrew Thrift (Masters student). She also mentioned that the end of January a wildlife risk assessment due to metal exposure is due.

BHPB

- Panda pit UG progressing toward full UG production capacity
- Koala ceased mining capital costs for UG approval in place
- Misery temporarily closed and stockpiled kimberlite is being trucked to the processing plant. Misery Camp is partially dismantled to now become a 50-man camp and will be used for exploration in Lac du Sauvage.
- Fox Pit is the focus of current activity and most waste rock above the kimberlite is now removed and ore is being processed
- Beartooth Pit is proceeding with ore production
- A non-regulated water quality parameters study is underway
- Summer field season complete
- Deferral of public EIR workshop to summer
- 2005 monitoring reports drafts will be provided for review only to those agencies that request them due to high production costs
- Wildlife risk assessment is due mid January 2006

- Thermistors installed at misery in spring but sufficient number already exist in LLCF.
- Wind energy pre-feasibility study completed and there is a potential for delivery on the 2007 winter road
- Pigeon Pit requires a fisheries authorization for diversion of stream habitat. BHPB is proposing to develop the diversion channel.
- Feels IACT is best to be issue driven rather than routine

IEMA

The Agency AGM was hosted on October 28th, 2005. Director changes include Anne Naeth resigning so two Directors are to be appointed by governments and BHPB in consultation with communities. Sheryl Grieve replaced Dave Osmond as NSMA director.

DFO

DFO is waiting for reports from BHPB including a compensation plan. It is also reviewing an earlier fisheries authorization in regards to an Agency question on diversions around the LLCF area.

MVLWB

The MVLWB supports a results based management approach. The Board has heard concerns on this issue but has yet to make any decisions. Gartner Lee will be further examining results based management implications as licences are written prescriptively but results based plans are not prescriptive. The MVLWB policy advisor position is now vacant thus there will be a hold placed on some policy related initiatives. On February 4th, 2006 the Wekeezi board comes into effect and a process to determine trans-boundary issues has not been determined yet.

EC

EC has new research to distribute that has been published recently. When asked about a flocculant study final report Anne replied that Simone's work resulted in two published articles and subsequent work on Cell E benthic colonization. Work on development of a test to determine what amount of flocculant is in the water has met with little progress and the level of concern dropped. A study on trout fry was also circulated.

Next meeting January 16th or an alternate will be proposed.

Meeting Adjourned