



Independent Environmental Monitoring Agency

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**Summary of Discussion from the
Inter-Agency Coordinating Team (IACT)
Meeting of December 14th, 2006**

February 28th, 2007

Participants

Sarah Baines WLWB
Nathan Richea – DIAND
Rebecca Chouinard – DIAND
Lionel Marcinkoski - DIAND
Scott Stewart - DIAND
Ernie Watson – DFO
Jane Howe – BHPB
Brent Murphy – BHPB
Anne Wilson –EC
Kevin O'Reilly – IEMA
Sean Kollee - IEMA

Lionel (Chairperson) opened the meeting and requested BHPB provide an overview of the Ekati project.

Jane (BHPB) provided an operations update (copies of the presentation have been made available by BHPB). Issues discussed included ore supplies, underground development, small diamond recovery, exploration and the labour stoppage. The following points were discussed in greater detail by BHPB:

- Pigeon culvert – the side ramps have been sloped to enhance caribou access and crossings.
- Underground mining - different styles of underground mining utilized for Panda and Koala based on ore type. Mining at Panda likely to finish in 2012 and at Koala in 2020 (estimates).
- Dyke C of LLCF – now raised to its original predicted design height.
- Water management changes - racetrack water sent to Cell B, underground saline water to process plant, and Fox Pit water to Cell D.
- Audits - Ongoing HSEC audits against BHPB corporate standards have rated Ekati highly and ISO certification has been received for 3 years.
- Security - \$56M additional security delivered as per water licence. DIAND approved the form/content.
- Environmental monitoring - Additional baseline studies on Jay, Fox, wind power.
- Ministers Reports

- Three-year EIR – Ekati visit and pre-technical meetings undertaken as consultation. GNWT criticisms led to Ministers letter – issues largely related to air quality.
- EA report - GNWT criticisms also led to a Ministers letter. BHPB feels GNWT does not understand that the technical reports are developed each year and the summary reports are not meant to be as detailed.
- BHPB will be meeting with GNWT and DIAND to resolve the outstanding issues
- NTKP reports completed
- Draft versions of annual monitoring programs will no longer be distributed.
- New management plans
 - *Spill Contingency Plan* updated
 - *WWPKMP*
 - *Hydrocarbon contaminated materials*
 - *Geochemical characterization and metal leaching plan* – BHPB renamed the plan as acidic drainage has not been observed on site
 - *Adaptive management plan* – delayed until May 1st, 2007 – trigger limits were considered and BHPB would not like to see these become de facto water licence limits for contaminants. The report will contain case studies of company actions to address unexpected events.
 - *AEMP* three-year re-evaluation review and draft plan 2007-09 is due December 31st. Lutsel K'e has stated its preference to have the AEMP explained in the community. BHPB would like to be accompanied to the community by the regulators to do this.
 - *ICRP* – January 8th presentation is planned. BHPB feels consultation was extensive in developing the plan. The final ToR has been approved, stakeholder presentations made and now the plan submission is due January 15th
- Management Plans currently under review (under the WLWB process)
 - *Hydrocarbon contaminated materials management plan, geochemical leaching and metal leaching management plan, AEMP three year review, ICRP*
- Management Plans currently under review (non-WLWB process)
 - *Air Quality Monitoring Plan and Waste Management Plan*
- Upcoming operations
 - Commissioning of the new incinerator
 - Two high volume samplers at Grizzly Lake and east of Cell B
 - Continuous air quality monitoring equipment
 - Road construction along west side of LLCF Cell B
 - More exploration drilling at Jay and Pigeon sites
- Upcoming reports
 - LLCF water quality predictions
 - UG water quality
 - LLCF water quality reports
 - Chloride tier 2 risk assessment
 - Risk assessment for metal uptake

- 2006 monitoring reports
- Upcoming permitting
 - Amalgamation of two Class B water licences regulating road watering with the two Class A licences
 - Extension for SPB fisheries authorization from DFO
 - Two year Sable Road LUP extension to October 2008
 - Wind generated electricity– no permits required but pre-screening level report is in preparation. Potential delivery on winter road in 2008 with power delivery in 2008. This could prevent additional generator purchase. BHPB is currently saving 1-1.5M litres of diesel each year due to efficiencies. BHPB would like to expand these efficiencies to NWT community operated power facilities.
- Upcoming Events
 - Begin discussions regarding renewal of the SPB Class A water licence expires August 2009 and LUP expires August 2007
 - Renewal of exploration LUP
 - Fox expansion may require a new fisheries authorization. BHPB cannot build up the waste rock pile (due to height restriction related to airport) so expansion may impact Fox 2 Lake and South Fox Lake. This could require an amendment to the WROSMP and a fisheries authorization from DFO.
 - New BHPB permitting staff (Charity Clarkin)
- Amalgamation of water licences – Grandfathering is an issue that could prevent merging of the two Type A licences (one was granted under *NWT Waters Act* and the other the *MVRMA*. Amalgamation could require one party to waive the rights associated with the licence (BHPB views that to be unlikely).
- BHPB contact for IACT following Jane’s departure on January 31st, 2007 – Brent will be the key contact (possibly also Laura, Charity and Elizabeth)
- BHPB would like to initiate discussions to amalgamate securities – EA, WL’s LUP’s.
- Liability modeling
- MPEMA dialogue
- Fisheries compensation matters – approval of pigeon diversion designs, pushback panda diversion channel, new compensation monitoring for Nero-Nema stream.
- Atomization project – BHPB is looking into water quality modeling for SPB, this could resurrect the project. Another contractor may be necessary. Ammonia may not be an issue of concern at Sable.

IACT UPDATES

DIAND – Rebecca will be leaving for B.C. to pursue a Masters Degree in Mining Engineering. She will continue to be involved in reclamation and closure issues with DIAND and plans to have an update to the closure guidelines in January. Nathan (new to file) accepted an invitation to visit Ekati and will be working with Rebecca to ensure continuity on the Ekati project.

Scott reported that his latest inspection report is due out next week. The only month he did not visit the site in 2006 was October. An underground inspection took place and waste management appeared sound. An issue noted over past inspections is chemical storage such as loose calcium chloride. DIAND has a new inspector starting in January 2007 (Jason Taylor). Darnell McCurdy has replaced Ed Hornby.

Lionel announced that the Agency Board appointments have been finalized and announced effective December 14th, 2006. DIAND is looking forward to the ICRP and resolving the EIR and BHPB Annual Report Ministers letters. Two new staff has been added to the minerals group of DIAND.

WLWLB – Sarah is closing her MVLWB email account and requested telephone calls to her or Lynn in the event of communication failure. The Ekati public registry will remain housed in MVLWB temporarily (plan is to move it to Wekweti eventually). The MVLWB website improvements will assist information storage. Mail and fax continue to be sent to MVLWB.

EC – Comments from EC may be delayed on the AEMP review. EC was unable to comment on the hydrocarbon plan. Steven Harbict is leaving EC his replacement is has been announced. Savannah Hayes has been hired to assist Anne.

Agency - Sean announced his return from parental leave. Kevin discussed Agency recent outgoing correspondence such as:

- Assistance of former Agency Director Dave Osmond in providing comments on the AEMP review
- Agency letter to BHPB on deposition of Fox mine water into Cell D
- Agency letter to BHPB on *ICRP* objectives

The Agency annual report distribution is complete. As a result of last year's mediation process there is a biannual meeting of the parties to the EA January 31st followed by Agency board meeting. Two new directors could be appointed by GNWT, DIAND and BHPB (Kim Poole and Laura Johnson) and another site visit may be in order for the Agency. Kevin was invited to Lutsel K'e to speak at an environmental monitoring training program run through Aurora College in the fall.

BHPB – Brent also contribute to the Lutsel K'e environment al monitor training program and attempted to work out a job sharing program. Brent lost two employees (GIS tech) and a team leader (Rob Maclean). Karen Hosford will be doing a 3 and 1 cross shift until the position is filled. BHPB is frustrated by editorial comments on management plans it has submitted to the WLWB. BHPB also believes many reviewer comments reflect a lack of understanding of separate but related management plans. It was noted during the following discussion that the WLWB requires reviewer comments be provided to it in such a way that the board can act on the comments.

DFO – Ernie announced that Julie Dahl has taken another assignment until March with DFO following her return to the Yellowknife office. Ernie is acting in her former position until that time. Dave Balint is likely moving to Ontario at the end of February.

Bruce Hanah will be taking over the diamond files and Colin (new term employee) will be assisting. Kelly Cott is on maternity leave. DFO is aware of an incident at Blip Lake and will be waiting for a report from BHPB. The early freshet resulted in some erosion in the PDC when a large amount of melt water eroded part of airstrip. BHPB plans to ensure snow is not ploughed from the runway onto the upslope side of the runway. DFO will also be commenting on the AEMP review.

Meeting adjourned.