



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

March 2, 2015

Brett Wheler
Executive Director
Wek'eezhii Land and Water Board
P.O. Box 32
Wekweti NT X0E 1W0

Claudine Lee
Superintendent-Traditional Knowledge and Permitting
1102, 4920-52nd Street
Yellowknife NT X1A 3T1

Dear Mr. Wheler and Ms. Lee

Re: Ekati Diamond Mine 2014 Annual Interim Closure and Reclamation Plan Progress Report

The Agency has reviewed the 2014 Annual Interim Closure and Reclamation Plan (ICRP) Progress Report prepared by Dominion Diamond Ekati Corp. (DDEC) for the Ekati Diamond Mine. The Agency was pleased to see the new sections on Security Relinquishment (7.3.2) and the acknowledgement of the Agency's workshop presentation by DDEC on revegetation as noted in Appendix B. However, the Agency remains concerned with continuing delays and lack of progress on the reclamation research. We also wish to offer comments on the proposed changes to the ICRP and the resulting implications for financial security.

We commend DDEC for undertaking the completion of the Panda Diversion Channel widening and the work on the Old Camp.

Slippage in the Reclamation Research Plan Tasks

In reading the 2014 Progress Report we found it easier to compare it with the approved ICRP and previous Progress Reports. Table C-1 is a major improvement over the previous Annual Reports. However, the parts of the legend are difficult to interpret. For example, there is no legend for the open green background (assumed to be ongoing); and it is not clear how a project can be deferred (black or blue arrow) and ongoing (green background) at the same time. DDEC also failed to include the additional columns

showing the original schedule for completion of the various Reclamation Research Plans and the current schedule based on the 2014 Progress Report.

As noted in our comments on the 2013 and 2014 Reports, there is serious slippage throughout many of the tasks under the Reclamation Research Plans, as detailed in the appendix and shown in Table C-1. We are increasingly concerned that this work will not be done in time for the possible closure of Ekati in 2019, just four years away. In particular, we are concerned about the ongoing slippage in:

- Plan 3.1 - Tasks 4 through 7;
- Plan 4.3 - Task 9;
- Plan 7.3, 7.4, and 7.5 – virtually all tasks.

In addition, we note that one task has been dropped (Plan 4.2 – Task 9) and some tasks have been added (Plan 3.1 – Task 8; and Plan 4.5 – Tasks 4 and 5) with a minimum amount of justification provided. The Agency is requesting additional information regarding these changes as noted in the attached comment table.

Changes to the ICRP and Financial Security

We note that DDEC has suggested several significant changes to the ICRP and consequential changes in the financial security in the 2013 Progress Report as follows:

6. ICRP Updates

6.2.1 Lynx Project Reclamation. DDEC proposes not updating the ICRP to include the Lynx Project. The incremental costs for post-closure monitoring and maintenance for this new location should be included in the RECLAIM cost estimate.

6.2.2 Pigeon WRSA Closure Design. There are no costs estimated for the Pigeon Waste Rock Storage Area for post-closure monitoring and maintenance with regard to seepage and thermal monitoring

6.2.3 2014 Misery Power Line Reclamation. The Agency has no argument with the proposed strategy but further details would be helpful in understanding the fate of the various materials. A proper cost estimate should be prepared for the reclamation of these materials rather than a lump sum that is unsupported by any evidence.

6.2.4 2013 Landfill Capping Closure Objective. The Agency remains concerned with the design of the landfill capping in terms of its potential sink effect and how that may impact permafrost encapsulation of adjacent areas. No specific costs have been identified for monitoring and maintenance related to the reduced cover.

7. Security Updates and Relinquishment

The Agency raised a number of issues with regard to the security updates as shown in the attached comment table.

Other Matters

As was done last year, we encourage the company to meet with the Agency and our Society member staff to discuss the 2014 Progress Report. **We suggest a meeting hosted by DDEC on the ICRP Progress Report become an annual event.**

Should you require any clarification, feel free to contact our Executive Director.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Ross".

Bill Ross
Chairperson

cc. Society Members

Lukas Novy, DDEC

Veroniques D'Amour-Gauthier, Fisheries and Oceans

Sarah-Lacey McMillan, Environment Canada

Marty Sanderson GNWT Inspector