

# Notes from the Inter-Agency Coordinating Team November 30<sup>th</sup>, 2001 Meeting

## Participants:

John Witteman	BHP Billiton
Chris Hanks	BHP Billiton
Laurie Cordell	MVLWB
Tamara Hamilton	DIAND Environment & Conservation
Marc Lange	Department of Fisheries and Oceans (DFO)
Dave Balint	Department of Fisheries and Oceans (DFO)
Francis Jackson	DIAND Water Resources
Anne Wilson	Environment Canada
Lionel Marcinkoski	GNWT – RWED
Albert Bourque	GNWT – RWED (North Slave Office)
Zabey Nevitt	Independent Environmental Monitoring Agency (Agency)
Robin Staples	Independent Environmental Monitoring Agency (Agency)

Meeting began at 1:30

## Round Table Updates:

**John** gave an update on recent activities at the mine site and noted the following:

- The meeting dates for the technical discussions on the wildlife and aquatic effects monitoring programs are scheduled for December 11<sup>th</sup> and 12<sup>th</sup> respectively. Proposed changes and modifications to the monitoring programs will be discussed and the Sable, Pigeon & Beartooth development will be included. The meeting will be held in the Scotia Centre lower level boardroom.
- The annual environmental workshops are scheduled for February 4<sup>th</sup> & 5<sup>th</sup>.
- BHP Billiton has recently held community meetings with Lutsel K'e and Kugluktuk. The meeting in Lutsel K'e focused mainly on the communities concerns regarding the high number of caribou observed this year with 'foot rot' disease. It was noted during the meetings, that some in the communities believed that this increase in foot rot was attributable to the Misery haul road. BHP Billiton responded to this concern by committing to longer term observational monitoring with Elder input along the road next spring. It was also noted that RWED has looked into this concern and concluded that the impacted caribou that were observed by community members did not travel through the mine sites.
- The Kugluktuk meeting focused on water quality concerns specifically on the Coppermine River. John recommended that DIAND personnel, who are performing studies along the Coppermine, explain their research and monitoring with the interested communities.
- At this years Geoscience forum, BHP Billiton submitted two papers. One was in regards to reclamation work that has been done to date, and the other on waste rock seepage studies.

- During this upcoming winter the two fuel tanks at Fox and one at Misery will be filled. The total capacity for Ekati is approximately 90 million litres.
- All buildings at the Misery camp have the appropriate skirting placed around them to prevent a repeat of last years' wolverine problems.
- At the main camp, occasional juice boxes are still being observed in the landfill. BHP Billiton is looking into moving the landfill to an area where wildlife will be more hesitant to visit and where it will be easier to cover more frequently (e.g. top of waste rock pile). The existing landfill will be covered regardless by the Panda – Koala waste rock pile.
- Noted that there is currently 560 workers on site and the number of workers could reach up to 890 in 2003 on an occasional basis. Education on appropriate waste management continues, but is difficult with this many people on site.
- The workshop on stream surveys “Mining and the Aquatic Environment” being put on by Dillon Consulting for BHP Billiton staff is taking place on December 5<sup>th</sup>.
- Dissolved oxygen levels to date this winter are looking good in Kodiak and Little Lakes. BHP Billiton is still looking into having Buster Welch, a noted limnologist with many years of experience in the North, come up in January to put on a workshop at site dealing with dissolved oxygen measurement techniques.
- BHP Billiton is planning on putting together a comprehensive report and analysis on air quality monitoring that includes all the data that has been collected at the mine site to date. This reported will be distributed when completed. No timeline was given for its completion.
- The Misery mine plan has changed and at this time, the decision has been made to go underground. Although, it was noted that the mine plan is constantly being revised as more geotechnical information is collected and could change at any time to mining solely by open pit.
- BHP Billiton will be applying for a type ‘B’ water licence to perform land treatment at Misery. The application will be submitted in the near future.
- The thermistors in Misery and Panda waste rock piles indicate that the waste rock piles are super cooling and remaining frozen.
- Construction drawings of the Misery waste rock dams have been approved by the MVLWB and construction has started.

In response to a question regarding waste rock management, John noted that enough granite would be available to carry out the proposed management plan of layering and additional granite can always be mined if required. John also agreed to provide the Agency with digital copies of the Misery waste rock dam construction drawings.

**Chris** began by noting that the Inuit traditional knowledge study on the West Kitikmeot Slave Geological province should be completed early in the new year. Chris mentioned that more community meetings are planned in the near future (similar to those held in Kugluktuk and Lutsel K'e) with the Dogrib, Yellowknives Dene and North Slave Metis Alliance. Chris also noted that a consortium of companies including BHP Billiton has applied for a new licence of occupation for the winter road. As this application is being reviewed under the Mackenzie Valley Resource Management Act (MVRMA), BHP Billiton has initiated meetings with the MVLWB in order to discuss application requirements. Land use permits will still be required

for specific activities associated with the road (e.g. quarrying). In addition, Chris noted that the consortium has asked permission to restrict travel of private vehicles during construction and after commercial traffic has been stopped in the spring. This request was in response to safety and environmental concerns that have been noted in the past. Chris also mentioned that the Sable road is a licence of occupation. Chris concluded his update by noting that he continues to split his time between his Island Copper mine and Ekati Diamond Mine™ responsibilities.

**Laurie** noted that she has been reviewing comments submitted to the MVLWB on the Sable, Pigeon and Beartooth land use permit and water licence application. The MVLWB are internally discussing an appropriate work plan for this application and are looking into the potential for pre-hearing technical meetings to discuss any outstanding concerns. The Nero-Nema stream crossing has also been approved by a recent amendment to the existing water license. The OEMP still has not been reviewed by the MVLWB, but at the request of BHP Billiton, she will attempt to review the updated abandonment & restoration (A&R) plan as soon as possible as the cost variance / reclamation discussions are taking place in the near future.

**Marc** noted that he has received BHP Billiton's Nero-Nema stream crossing application for authorization for works or undertakings affecting fish habitat. The original design was discussed previously with BHP Billiton and a redesigned crossing was requested and received. Habitat compensation for this authorization has also been discussed. It was determined that a preliminary screening under the MVRMA was not required prior to issuing an authorization as this specific aspect of the project was previously assessed under the Environmental Impact Statement in 1995. Marc also noted that DFO is looking at contracting out an analysis of the various fish out and fish transfer data that has been collected to date at both Ekati and Diavik. The report will accompany a digital database and will include discussions on total lake production and relationships with habitat among other issues. The report will be distributed once completed. In regards to the Carrie and Desperation authorization, discussions with Derek Chubb of BHP Billiton on the updated Misery mine plan are continuing and compensation concepts are being reviewed.

**Francis** began by noting that comments on the Sable, Pigeon & Beartooth applications submitted by DIAND Water Resources dealt mostly with Geotechnical concerns of water retaining structures. Comments regarding water quality concerns with the application are being submitted to the MVLWB today and the MVLWB is reviewing whether they can accept these comments as they are being submitted after the public registry deadline. Francis mentioned that he feels most of these concerns could be dealt with by meeting with BHP Billiton and/or during the proposed technical sessions.

**Zabey** noted that the Agency submitted comments to the MVLWB on the Sable, Pigeon & Beartooth applications following BHP Billiton's response to the Agency information request. He also noted that the Agency is having a board of Directors meeting in mid December following the WEMP/AEMP technical meetings. Zabey also noted that he attended the WKSS cumulative effects workshop and observed that there was very limited participation from industry. In addition, Zabey reminded BHP Billiton that a written summary from the meeting between Jim Millard, Pete McCart and Deborah Muggli regarding historical water quality data

has still not been received by the Agency and it would appreciate receiving it before the upcoming board of Directors meeting.

**Robin** followed up on Zabey's update by requesting a copy of the copper risk assessment report from BHP Billiton. He also noted that the Agency is holding a Christmas open house on December 13<sup>th</sup> in the Agency office and that everyone at the table should have already received an invitation

**Anne** noted that she enjoyed the November 6<sup>th</sup> site visit and found it very helpful in understanding the flocculant / coagulant systems. Environment Canada is looking into doing further research studies on the toxicity of flocculant and coagulants. Anne promised to forward the CIBA flocculant training information to Tamara and Zabey following a request from Tamara. Anne also mentioned that the graduate student, Simone Crocquet de Rosemond, and Karsten Liber from the University of Saskatchewan will be joining herself via conference call at the upcoming Agency board of Directors meeting to provide a synopsis of phase one of the tailings toxicity study. Simone's report on this topic is due out shortly following her thesis defence. Anne also mentioned that Environment Canada's Christmas open house would be on December 14<sup>th</sup> from 3 to 5pm.

**Lionel** noted that RWED submitted their comments on the Sable, Pigeon & Beartooth application to the MVLWB and mentioned that their concerns dealt mostly with aspects of land treatment and the land farm. Lionel also mentioned that he would be involved in the technical meetings regarding the licence of occupation application for the winter road.

**Tamara** began by noting that the first cost variance meeting will be held on December 17<sup>th</sup>. This meeting will provide an opportunity for BHP Billiton's and DIAND's consultants to ask each other questions and clarify some of the outstanding issues. The second cost variance meeting will take place in February and will largely focus on the current liability of the mine. Representatives from DIAND, GNWT, BHP Billiton and the Agency will be invited to this second meeting and the consultants will be available for questions. John Brodie, DIAND's consultant, will likely provide an overview at both meetings. Tamara also indicated that adequate time would be given to review John Brodie's report before the second cost variance meeting. Tamara noted that DIAND has received a first draft of the project specific Environmental Agreement discussion paper has been received from Steve Kennet of the Canadian institute of Resource Law. Once a second draft has been submitted it will be sent out to all to review. In addition, Tamara mentioned that it has been over 5 years since the Environmental Agreement was signed and it is effectively up for review. Article 1, 2, 4, 10, 11 & 16 can be reviewed and amended with consent from the three signatories of the agreement. Tamara noted that the Agency had previously indicated that Lutsel K'e and the Yellowknives Dene have requested an additional seat on the Agency. An official letter from both groups outlining their request would be an appropriate method to initiate such a discussion.

*Next meeting will be held in the Agency boardroom on Friday January 18<sup>th</sup> at 1:15pm.*

**Meeting finished at 2:30pm.**