



**Mackenzie Valley Land and Water Board**  
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### Staff Report

<b>Company:</b> De Beers Canada Inc.	
<b>Location:</b> Snap Lake	<b>Application:</b> MV2011L2-0004/MV2010D0053
<b>Date Prepared:</b> October 2, 2012	<b>Meeting Date:</b> October 11, 2012
<b>Subject:</b> Decision on Request for Modification: Proposed East Cell Landfill Site	

#### 1. Purpose

The purpose of this Staff Report is to present to the Mackenzie Valley Land and Water Board (MVLWB) the request for modification of the Waste Disposal Facilities as per Part J, item 1 of Water Licence MV2011L2-0004, submitted by De Beers Canada Inc. (De Beers).

#### 2. Background

- June 16, 2012 – Initial discussion between DeBeers and Aboriginal Affairs and Northern Development Canada's Inspector (Inspector) regarding the use of a portion of the East Cell as a Landfill;
- June 19, 2012 – An email was sent to the Inspector stating that the relocation of the Landfill within the East Cell was already included in the approved 2010 Ore Storage Waste Rock and Processed Kimberlite Management Plan;
- June 28, 2012 – Inspector submits letter to the Board raising concerns with the proposed landfill location;
- July 6, 2012 – Board staff letter to De Beers providing direction in regards to the proposed landfill modification;
- July 26, 2012 – De Beers submitted a revision of the North Pile (NP) Management Plan that included the relocation of the landfill to the East Cell;
- September 28, 2012 – De Beers submitted the request for approval on the East Cell landfill relocation; and
- October 11, 2012 – Board Meeting to discuss proposed modification.

### **3. Discussion**

The approved landfill site located within the starter cell is reaching capacity. According to the Project Description Report, which describes the project, the only areas identified as landfill locations were within the Starter Cell and the West Cell. Since the West Cell will not be constructed for several years, De Beers is requesting a modification to the Waste Disposal Facilities as per Part J, item 1 of WL MV2011L2-0004 to allow for the construction of a landfill location within the East Cell. It is important to note that the Starter Cell, the East Cell and the West Cell together form the North Pile Tailings Facility (NP), so this request does not change the general notion that the landfills remain within the NP.

As a secondary request De Beers is asking the Board to waive the 60 day modification timeline. De Beers is concerned that if the decision is delayed for the full 60 days that they could run into construction delays due to the onset of winter.

Board staff feels that some consideration should be given to possible long term capacity issues, considering that 30% of the East Cell originally designated for tailings containment will no longer be available for tailings deposition.

### **4. Review Comments**

This request was not sent out for a formal review. The only comments have come from the Inspector in his June 28, 2012 letter. De Beers addressed those concerns in their September 28, 2012 letter. In speaking with the Inspector he felt his comments were, for the most part, adequately addressed. He did have some reservations over the proposed size (30% of the East Cell), and he felt they did not really address the recommendation to locate the landfill far and deep from the sides of the East Cell (paraphrasing personal communication of October 2, 2012).

### **5. Security**

n/a

### **6. Conclusion**

Board staff concludes that De Beers has addressed all the points raised in the Board staff letter of July 6, 2012 and believes that the overall idea of the landfill site being within the NP has been maintained. However, some consideration should be given to possible long term capacity issues considering that 30% of the East Cell designated for tailings containment will now be occupied by a landfill.

The second point of discussion is De Beers' request to wave the 60 day modification notice. In this regard depending on the Board's decision this may be a moot point.

## **7. Recommendation**

Board staff recommends De Beers' request for modification of the Waste Disposal Facilities be approved. Board staff feels this could be achieved in one of three ways:

Option 1:

Board conditionally approve the request as submitted by De Beers provided they update appropriate plans, including the Domestic Waste and Sewage Management Plan, to reflect the change. Refer to draft approval letter Option 1.

Option 2:

Board conditionally approve the request as submitted by De Beers. The approval is conditional on De Beers providing evidence that long term capacity issues can be addressed and provided they update appropriate plans including the Domestic Waste and Sewage Management Plan to reflect the change. Refer to draft approval letter Option 2.

Option 3:

Board address the request in a manner they feel is appropriate.

Note both options 1 and 2 accommodate the 60 day time constraint mentioned by De Beers.

## **8. Attachments**

- June 19, 2012 email from De Beers to the Inspector
- June 28, 2012 letter from the Inspector
- July 6, 2012 letter from Board Staff
- September 28, 2012 request for modification
- Draft approval letter Option 1
- Draft approval letter Option 2

Respectfully submitted,



Marc Casas  
Regulatory Officer