March 26, 2015                                           File: W2015L2-0001

To all parties,


The Wek’eezhii Land and Water Board (WLWB) would like to thank all parties who participated in the technical session on March 23, 2015, to discuss Water Licence Renewal application W2015L2-0001 submitted by Diavik Diamond Mines (2012) Inc. (DDMI). The session was beneficial in helping to identify and clarify several issues raised by reviewers and Board staff in the review of the application, and has hopefully contributed to a better understanding of the information on the record.

There were several requests for specific information made by parties during the technical session and follow-up information gaps identified by Board staff after the technical session. In an effort to ensure an adequate level of evidence is on the record for this proceeding, which will allow parties to make informed submissions to the Board and allow the Board to make an informed decision, the WLWB is requesting the following information from the identified parties:

**IR#1: GNWT**
Provide information on any standards and/or guidelines that exist which outline a frequency for testing and/or a list of constituents to be tested in analyses of scrubber water in the Northwest Territories and/or in Canada.

**IR#2: GNWT**
Provide information on any standards and/or guidelines that exist which outline a frequency for testing and/or a list of constituents to be tested in analyses of incinerator ash in the Northwest Territories and/or in Canada.

**IR#3: GNWT**
Provide information on any standards and/or guidelines that exist for landfill leachate testing in the Northwest Territories and/or in Canada.

**IR#4: DDMI**
Submit groundwater monitoring data for the A21 development, and a table summarizing groundwater data for the A21, A418 and A154 developments.
IR#5: DDMI
Regarding DDMI’s Emergency Response Plan (ERP) and Emergency Preparedness Plan (EPP):

a. Provide the most recent dates that DDMI tested these plans for the dikes and for the Processed Kimberlite Containment (PKC) dams; and,

b. Describe the frequency of testing, and indicate when the next tests will occur.

IR#6: GNWT
Provide any available historic water quality/quantity data collected and any recent reports prepared for the Coppermine River.

IR#7: Environment Canada
Provide any available historic water quality/quantity data collected and any recent reports prepared for the Coppermine River.

IR#8: GNWT
If possible, provide the information noted in the Review Comment Table with regards to the GNWT’s “cumulative effects study and hydrodynamic model”\(^1\) by April 23, 2015, so it may inform interventions.

IR#9: DDMI
Under DDMI’s Water Licence (Part A, Item 2), the DDMI Dike Review Board is defined as “the Expert Review Board established by DDMI to review the dike designs”. It is understood that DDMI now refers to this Board as the Diavik Geotechnical Review Board (DGRB). With regards to the DGRB:

a. Describe, in detail, all of the DGRB’s duties, including those related to dikes, processed kimberlite containment (PKC) dams, the north inlet dams, pit walls, and any other structures;

b. Provide a list of reports submitted by the DGRB to DDMI, with dates; and,

c. Describe how the DGRB maintains its independence from DDMI.

IR#10: DDMI
Submit the most recent Dam Safety Reviews (DSRs) performed for the PKC dams and the open-pit dikes.

IR#11: DDMI
DDMI’s Water Licence requires DDMI to comply with the Canadian Dam Association’s (CDA) Dam Safety Guidelines. The CDA Guidelines (Section 2.3.1) require that dam owners have a dam safety policy.

a. Submit DDMI’s dam safety policy; and,

b. Discuss how DDMI’s policy covers each of the following requirements in the CDA Guidelines (Section 2.3.1):

   i. Clearly demonstrates the organization’s commitment to safety management throughout the dam’s life cycle;

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\(^1\) see GNWT-ENR Comment #11 in the Review Comment Table of the DDMI Water Licence Renewal application on the WLWB’s Online Review system at www.wlwb.ca
ii. Defines the safety practices and criteria to be used, taking into account any applicable regulations, industry practice (such as the CDA technical bulletins), and due diligence;

iii. Defines ultimate accountability and authority for ensuring that the policy is implemented;

iv. Defines the delegation of responsibility and authority for all dam safety activities; and,

v. Defines the process for making decisions related to dam safety.

In order to ensure the regulatory process proceeds efficiently, we ask that parties endeavor to submit the requested information as soon as possible to allow parties to begin preparing their interventions. Unless otherwise specified above, all information requested must be submitted by April 9, 2015.

All information regarding this Water Licence Renewal application proceeding will be posted on the WLWB’s online registry at www.wlwb.ca, and Board staff will post IR responses in a timely manner, as they are submitted. If you have any questions please contact Ryan Fequet at rfequet@wlwb.ca or 867-765-4589.

Sincerely,

Ryan Fequet,
Regulatory Manager, WLWB

Copied to: Diavik Distribution List
Morning,

Thank you to everyone who attended the Technical Session for Diavik’s Water Licence Renewal on Monday, March 23, 2015. The session was very cooperative and productive and as a result, several Information Requests have been developed. Please find attached formal Information Requests for your respective organizations and note that the deadline to submit this information, unless otherwise specified, is Thursday, April 9, 2015.

Cheers,

Ryan Fequet, BSc.
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"Learn to pause...or nothing worthwhile will catch up to you!"