Thanks Anneli,

I think I have a handle on what is now expected.

David

Hi David,

I am following up on our conversation from Monday regarding Diavik’s draft letter in response to the Board Directive for the Water Management Plan.

Item 1 – Section 1.4 of the Water Management Plan:

The direction form the Board for this Item was the following:

“DDMI is to submit a letter to the Board within 30 days of receipt of the Board’s decision which explains in detail what the terms “authorized discharge” or “authorized for discharge” means to DDMI when used in relation to each item listed in section 1.4 of Version 14 of the WMP. Any such explanation should include specific references to Licence provisions, the SNP, and relevant management plans.”

Taking another look at your letter, there was no explanation provided as per the Board directive. I hope that it was clear from our conversation that the main concern was related to the second list of items provided in Section 1.4. As a result, the explanations to provide would be for each item of that second list. The Board is essentially looking for Diavik to explain how it views the items in the second list as being “authorized discharge” or “authorized for discharge”. With that in mind, what specific questions, if any, do you have to improve clarity around the Board’s request?

Item 2 – PKC Facility Plan:

To clarify your questions regarding ponding against the PKC dam. Part F, Item 6 of the Water Licence states:

“There shall be no accumulation of water against the containment Dam structures of the Processed Kimberlite Containment Facility, unless approved by the Board.”
This licence condition is not exclusive to the PKC pond and suggests that any accumulation is not permitted. Concerns about water accumulation/ponding were brought up during the water licence renewal and in comments from ENR. In both instances, DDMI’s PKC Dam Safety Review were discussed. This report referred to problems encountered in 2008 and 2009 with seepage associated with the PKC dam and water accumulation against the dam. ENR’s comment also referenced a 2015 Golder report which stated that ponding against the dams should be avoided. Based on the discussions form the Water Licence and the comments, instances of accumulation were identified and noted as a concern.

Based on our conversation, you indicated that Diavik does have strategies in place to both identify and address instance of water accumulation against the PKC dam. Board staff would suggest that a description of these practices might be a helpful addition to your attachment.

I hope this helps to address your concerns. Please feel free to give me a call if you want to follow up on any of this.

Thanks,

Anneli Jokela, PhD
Regulatory Specialist
Wek’eezhii Land and Water Board
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All correspondence to the Board, including emails, letters, faxes and attachments are public documents and may be posted to the public registry.

From: Wells, David (DDMI) [mailto:David.Wells@riotinto.com]
Sent: April 25, 2016 12:08 PM
To: Anneli Jokela <ajokela@wlwb.ca>
Cc: Ryan Fequet <rfequet@wlwb.ca>; Sarah Elsasser <selsasser@wlwb.ca>
Subject: RE: Water Management DRAFT Letter Response

Thanks Anneli for meeting with me this morning to discuss. Once I hear back I will update our letter accordingly.

Regards,
David

From: Anneli Jokela [mailto:ajokela@wlwb.ca]
Sent: Friday, April 22, 2016 3:54 PM
To: Wells, David (DDMI)
Hi David,

Thank you for sending along this draft letter and providing additional information. Upon review, it appears that some information would still be required and there might be a misunderstanding about what the Board was requesting.

**Item 1 – Section 1.4 of the Water Management Plan:**
In regards to Item 1, the concern with Section 1.4 was the list of “additional waters with potential to be released to the receiving environment”, which were stated as being “outside of the water management area”. It was unclear why these items would be considered outside of DDMI’s water management system and included in a section regarding Authorized Discharges. These “additional waters” appear to fall outside of what would be authorized. The Board was seeking clarification on DDMI’s interpretation of “authorized discharge” or “authorized for discharge” to better understand DDMI’s inclusion of those items.

The items included in the first list of waters that “may be authorized for discharge without treatment” seems appropriate and necessary to include in this section. The use of the word “may” was not a concern and makes it clear that this isn’t necessarily occurring, but that it could take place provided EQC are met and that the Inspector has provided written authorization. During the Water Licence renewal, there had been some discussion about clarifying which Waste streams were authorized for discharge. The complexity arose from the fact that there are some Waste streams that are prohibited from being discharged directly into Lac de Gras: seepage from the PKC Facility, seepage from the North Inlet Waste Dam, and seepage from the Drainage Control and Collection System. These streams must be collected and returned to the wastewater management system to be treated prior to discharge. Schedule 6, Item 1(b) was added to the 2015 Water Licence to help clarify the waste streams that are, or could be, discharged to Lac de Gras without treatment. In the Reasons for Decision from the Board on the Water Management Plan, the Board reviewed the three Waste streams identified in the first list and confirmed that they could be discharged without treatment, provided EQC are met and that the Inspector has provided written authorization. According to the licence, these three streams should thus be listed to address Schedule 6, Item 1(b).

**Item 2 – PKC Facility Plan:**
Thank you for providing more information on how the PKC pond location and size is managed. Adding this explanation to the PKC Facility Plan, and coordinating with other pending changes to the Plan, seems appropriate. However, one important component appears to still be missing. The section explains how the PKC pond location and size is managed, but does not explicitly address what procedures are in place to prevent or address ponding against the dams. Although it states that the procedures help reduce the risk of ponding, recent reports have identified that ponding is occurring. Thus, the description should include what procedures have been put in place since ponding issues were recently identified and/or what procedures exist to identify instances of ponding with details on what DDMI does to correct any instances of ponding.

Please let us know if you have any questions regarding the information above. Also, if you could let us know when we might expect an updated letter, it would be greatly appreciated. We have a couple of
Board meetings scheduled in the next few weeks so are trying to plan for any new items that could be added to the agenda.

Thanks,
Anneli

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From: Wells, David (DDMI) [mailto:David.Wells@riotinto.com]
Sent: April 20, 2016 7:33 AM
To: Ryan Fequet <rfequet@wlwb.ca>
Cc: Sarah Elsasser <selsasser@wlwb.ca>; Anneli Jokela <ajokela@wlwb.ca>
Subject: Water Management DRAFT Letter Response

Good Morning Ryan,

Attached is a Draft of the Water Management Plan Follow Up Letter. Gord had mentioned that he discussed with you submitting a draft letter prior to the submission of the final to ensure your concerns are addressed.

Please provide any comments you have.

Regards,
David

David Wells
Superintendent - Environment - HSE

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