

RioTinto

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Mr. Tom Bradbury
Inspector, Diamond Resource Management
North Slave Regional Office
Department of Lands
Government of the Northwest Territories
140 Bristol Avenue, Yellowknife Airport
Yellowknife NT, X1 A3T2

21 October 2020

Dear Mr. Bradbury,

**Subject: DDMI Response to GNWT Letter of Warning – Waters Act – Offences to
Type A Water Licence - Section 71(1)(a)**

Diavik Diamond Mines (2012) Inc. (DDMI) submits this letter as acknowledgement of receipt of the Government of Northwest Territories Department of Lands' (GNWT-Lands) Letter of Warning issued to DDMI on October 13, 2020 regarding construction activities associated with modifications to the Processed Kimberlite Containment Facility (PKCF) Phase 6 Spillway at the Diavik Mine.

DDMI notes the GNWT-Lands' acknowledgement that DDMI was well intentioned regarding the modifications to the PKCF Phase 6 Spillway as the modifications will ensure that in the unlikely scenario a natural/environmental event (e.g. significant freshet in 2021 or major storm in 2021) results in an Inflow Design Flood with water level of 465.8 m, the PKCF spillway will be able to safely pass the volumes to Pond 3 and also accommodate wind and wave action to prevent overtopping during and after the event.

DDMI appreciates the GNWT-Lands measured approach in its review of this incident and takes GNWT-Lands intent regarding the Letter of Warning seriously. To this end, DDMI has commenced an internal investigation to identify root cause(s) of the incident and to develop mitigation measures to prevent a recurrence.

DDMI will communicate to the GNWT-Lands the outcomes of this investigation once completed. Please do not hesitate to contact the undersigned or Kofi Boa-Antwi (867 447 3001 or kofi.boa-antwi@riotinto.com) if you have any questions regarding this submission.

Yours sincerely,



Richard Storrie
President and Chief Operating Officer

cc: David Patterson – HSE Business Partner, DDMI
Kofi Boa-Antwi – Superintendent, Environment, DDMI
Jamie Steele - Manager, Diamond Resource Management, GNWT-Lands
Scott Stewart – Regional Superintendent, Operations – GNWT-Lands
Anneli Jokela – Regulatory Manager, Wek'èezhii Land and Water Board
Kassandra DeFrancis – Regulatory Specialist, Wek'èezhii Land and Water Board
John McCullum – Executive Director, Environmental Monitoring Advisory Board