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April 2, 2024

File: W2015L2-0001

Mark Nelson and Nicole Goodman  
Diavik Diamond Mines (2012) Inc.  
P.O. Box 2498, 300-5201, 50<sup>th</sup> Avenue  
Yellowknife, NT X1A 2P8

Sent by email

Dear Mark Nelson and Nicole Goodman,

**Re: Diavik Diamond Mines (2012) Inc. – Extension Request for 2023 Seepage Survey Report – Approved – Mining and Milling – Lac de Gras, NT**

The Wek'èezhì Land and Water Board (Board) met on March 27, 2024 and considered the request to extend the submission deadline of the 2023 Seepage Survey Report submitted by Diavik Diamond Mines (2012) Inc. (DDMI) on March 14, 2024.<sup>1</sup>

Under Part G, Condition 12 of DDMI's Licence W2015L2-0001, "by March 31 each year, [DDMI] shall submit to the Board, for approval, a Seepage Survey Report." As per Schedule 5, Condition 7, the Seepage Report "shall consist of the results of Seepage surveys of all mine components including: constructed rock piles, stockpiles of Reclamation rock, ore stockpiles, areas constructed with mined or quarried rock, and water retention dikes and dams." As per DDMI's Licence, seepage is defined as "Water or Waste that drains through or escapes from any structure designed to contain, withhold, divert, or retain Water or Waste."

On March 14, 2024, DDMI submitted a request to extend the submission deadline of its 2023 Annual Seepage Survey Report from March 31, 2024 to May 15, 2024. DDMI's request provided rationale for the extension, stating that:

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<sup>1</sup> See WLWB Online Registry ([www.wlwb.ca/](http://www.wlwb.ca/)) for [Diavik - Seepage Survey Report - 2023 - Request for Extension - Mar 14 24](#).

Due to the recent large diesel spill at the A21 Mine Air Heater, the DDMI Environment department has had to allocate significant personnel time to the clean-up and monitoring efforts which otherwise would have been dedicated to report writing. This extension timeline considers a rotational work schedule and will allow sufficient time for DDMI personnel to produce a report while continuing to allocate efforts to spill clean-up and monitoring.<sup>2</sup>

DDMI reported that a spill of 50,000L of diesel occurred on January 16, 2024, at the A21 Underground West Ramp Mine Air Heater fuelling tank system; spilled material was contained within the Mine Air Heater area and no material had entered the Receiving Environment.<sup>3</sup> The spill, as indicated in the February 15, 2024 and February 26, 2024 GNWT-ECC's Inspector's Reports, was reported in accordance with Part H, Condition 3 of the Licence and responded to in accordance with the approved Contingency Plan (i.e., Version 24).<sup>4</sup> Based on the information provided by DDMI and the GNWT-ECC Inspector,<sup>5</sup> the Board is of the understanding that clean up and remediation efforts are ongoing and DDMI is appropriately responding to the January 16, 2024 diesel spill.

The Board is of the opinion that the requested extension is reasonable in consideration of the additional work taking place to address the spill and limitations in personnel availability. Therefore, the Board approves the extension request to the submission deadline of the 2023 Annual Seepage Survey Report.

Please direct questions or concerns regarding this letter to Ryan Fequet in writing.

Yours sincerely,



Mason Mantla  
Chair, Wek'èezhìi Land and Water Board

BCC'd to: Diavik Distribution List

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<sup>2</sup> See WLWB Online Registry for [Diavik - Seepage Survey Report - 2023 - Request for Extension - Mar 14 24](#).

<sup>3</sup> See WLWB Online Registry for [Diavik - DDMI Letter to Inspector - Follow-up to Spill Report 2024-020 - Feb 16 24](#).

<sup>4</sup> See WLWB Online Registry for [Diavik - Water Licence Inspection Report - January 22 2024 - Feb 15 24](#) and [Diavik - Water Licence Inspection Report - February 26 2024 - Mar 12 24](#).

<sup>5</sup> See WLWB Online Registry for [Diavik - DDMI Letter to Inspector - Follow-up to Spill Report 2024-020 - Feb 16 24](#), [Diavik - Water Licence Inspection Report - January 22 2024 - Feb 15 24](#) and [Diavik - Water Licence Inspection Report - February 26 2024 - Mar 12 24](#).