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**Reference/File Number:** W2007L2-0003 (Type "A")

**Licensee:** Diavik Diamond Mines Inc. (DDMI)

**Subject:** Interim Closure and Reclamation Plan,  
Version 3.2

**Wek'èezhìi Land and Water Board (WLWB)**

**REASONS FOR DECISION**

Issued pursuant to Section 26  
of the *Northwest Territories Waters Act*, R.S.C. 1992, c.39

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**1.0 Decision**

On September 21<sup>st</sup>, 2011 the Wek'èezhìi Land and Water Board approved Version 3.2 of DDMI's Interim Closure and Reclamation Plan (ICRP), with minor revisions that are to be submitted to the Board in the form of an errata sheet that will be attached to ICRP (v. 3.2). With the submission of the errata sheet, the Board will consider the ICRP approved and to have met the conditions of Part L of Water Licence W2007L2-0003.

Additional background information and discussion about the review of Version 3.2 of the ICRP can be found in the September 26, 2011 Board Decision Package, which also contains: public comments, DDMI responses and Board staff responses; a detailed licence conformity check; and an annotated outline for the Annual ICRP Progress Report.

**2.0 Background and Regulatory History**

Diavik Diamond Mine Inc. (DDMI) currently holds a type A water licence administered by the Wek'èezhìi Land and Water Board (WLWB). This licence permits DDMI to construct, operate and close the Diavik mine as outlined specifically within Water Licence W2007L2-0003. DDMI is required to submit an Interim Closure and Reclamation Plan (ICRP) for approval, as per Part L, Items 1, 3, 4 and 6. DDMI

prepared this version (V. 3.2) of the ICRP in response to the Board's May 10<sup>th</sup> 2011 Directive, which was a response to the previously submitted Version 3.1 of the ICRP. The following is a brief summary of the history of the ICRP process for the Diavik Diamond Mine:

1999: DDMI submitted a Preliminary Closure and Reclamation Plan in support of their water licence application. The regulatory authorities considered this plan during the environmental assessment and communicated their decisions regarding closure in the 1999 Comprehensive Study Report (CSR).

2001: On November 1, 2011, approximately two years after the granting of the original Water License (N7L2-1645), DDMI submitted their first Interim Closure and Reclamation Plan to the Mackenzie Valley Land and Water Board (MVLWB). The MVLWB approved the Plan with four conditions (referred to later in this report as the 2001 ICRP Conditional Approval) related to future updates of the plan.

2006: DDMI submitted a revised ICRP (Version 2.0) to the WLWB in the fall of 2006 during the renewal proceedings for DDMI's water licence. The WLWB decided that the ICRP was not as time-sensitive as other issues and that the Board would consider the ICRP following the water licence renewal. Under the renewed licence (W2007L2-0003), the WLWB revisited the company's 2006 ICRP in 2008. The WLWB did not approve the 2006 ICRP submission due to several deficiencies, and directed DDMI, on August 7, 2008, to undergo a process to substantially revise the ICRP.

2009: DDMI submitted Version 3.0 of the ICRP on December 4, 2009. Comments were received by the WLWB on February 11, 2010. To assist with the Board's review of the ICRP, WLWB obtained high level advice from a closure and reclamation expert (John Gadsby), and hired Stantec to perform a third party review. On May 19 2010, the Board decided not to approve Version 3.0 of the ICRP and directed DDMI to prepare Version 3.1 by August 31, 2010. The Board's May 2010 Directive required a number of specific changes. On June 30, 2010, DDMI requested an extension to December 31, 2010 to allow more time for revisions and technical work required by the Board. The Board granted this request.

2010: DDMI submitted Version 3.1 of the ICRP on December 31, 2010. This version was a significant improvement over the previous version; however the Board rejected certain fundamental changes to the closure plan and required a number of revisions. To reduce the burden on all parties, the Board decided that only four of these revisions would require additional public review. For the remainder of the revisions, the Board could assess whether its requirements had been met without additional input, since reviewers had already provided input on versions 3.0 and 3.1 of the ICRP. The May 10, 2011 Board Decision Package (see Attachment 1) provides a detailed explanation of the Board's requirements for Version 3.2.

2011: DDMI submitted Version 3.2 of the ICRP on July 26, 2011. Board staff checked to ensure that DDMI addressed all of the Board's requirements, and then distributed the document to stakeholders, with instructions to review only the four revisions, which the Board had determined required additional public review. The following organizations submitted comments on September 6, 2011 (via the WLWB online review comment table): Fisheries and Oceans Canada (DFO),

Environment Canada (EC), Environmental Monitoring Advisory Board (EMAB), and Aboriginal Affairs and Northern Development Canada (AANDC).

### **3.0 Reasons for ICRP Approval**

The reasons the Board approved Version 3.2 of the ICRP are as follows:

1. The Board believes that the ICRP review process was fair and reasonable.
2. Version 3.2 of the ICRP satisfies the relevant terms and conditions in Part L of Water License W2007L2-0003, as appropriate for the current stage of closure planning.
3. DDMI has satisfied the conditions outlined in the May 10<sup>th</sup>, 2011 Board Directive, with the exception of the edits which are to be addressed in an errata sheet.

Reasons 1 and 3 are explained in more detail below. A more detailed explanation of reason 2 in regards to water licence conformity can be found in the Water Licence Conformity Table (Appendix A).

### 3.1 ICRP Review Process

The Board is satisfied that the ICRP review process was thorough and transparent and allowed for substantial stakeholder input. This process included the following steps:

1. The Board identified the stakeholders with an interest in being involved in the ICRP process (November 2008).
2. The Board required the company to host an on-site information session regarding closure planning (January 14, 2009).
3. The Board required DDMI to propose closure objectives, which are the foundation of the closure plan (January 23, 2009).
4. The Board hosted a workshop to enable the company and stakeholders to collaborate on further development of closure objectives (February 25 and 26, 2009). The Board circulated the resulting closure objectives for stakeholder review after the workshop, and further refined them based on comments received (March 2009 to May 2009).
5. The Board provided DDMI with an annotated outline of the ICRP, to ensure that the company clearly understood the Board's expectations (May 7, 2009).
6. The Board required DDMI to host a closure options and criteria workshop (May 2009), and facilitated communication between the company and stakeholders on closure criteria (September 2009).
7. On December 4, 2009, the company submitted Version 3.0 of the ICRP, which the Board distributed for public review. The Board provided the company with an opportunity to respond to reviewer comments. To assist the Board's review of the ICRP, the Board hired a third party reviewer and a senior expert advisor. On May 19, 2010, the Board rejected Version 3.0 of the ICRP and provided instructions to DDMI on how to revise the ICRP.
8. On December 31, 2010, the company submitted Version 3.1 of the ICRP, which the Board distributed for public review. The Board provided the company with an opportunity to respond to reviewer comments. The Board rejected Version 3.1 of the ICRP and provided instructions to DDMI on how to revise the ICRP.

9. On July 26, 2011, the company submitted Version 3.2 of the ICRP, which the Board distributed for a public review on those issues which were additions to the previous plan. DDMI responded to reviewer comments on September 7, 2011.

### 3.2 Conformity with the May 10, 2011 Board Directive

The following section discusses conformity of Version 3.2 of the ICRP with the May 10, 2011 Board Directive. The Board outlined requirements that DDMI was to address with revisions concerning eight outstanding issues identified within Version 3.1 of the ICRP. The following are the eight identified areas of concern that required revisions.

1. Waste Rock
2. Processed Kimberlite Containment Facility (PKC)
3. North Inlet Sludge
4. Community Engagement
5. Pit Water Quality
6. Closure Objectives
7. Materials Assessment
8. Reclamation Research

For the sake of brevity, background information for each issue is not repeated in the reasons for decision, but a more detailed description of each issue can be found in the May 10, 2011 Board Decision Package.

Only four revisions made in Version 3.2 of the ICRP were distributed for public review. These were generally revisions that included information that had not previously been distributed for public comment. The other revisions were generally edits to text that had already been publicly reviewed in versions 3.0 and 3.1 of the ICRP. We have noted whether a revision was distributed for public review or not.

After careful review and consideration, the Board concludes that DDMI has addressed all but two of the Board's requirements made during the reviews of the 2006 ICRP and Versions 3.0, 3.1, and now 3.2 of the ICRP. The two requirements that DDMI did not adequately address can be addressed in an errata sheet for Version 3.2 of the ICRP and in the required ICRP Annual Progress Report, as discussed in section 4.0.

#### 1. Waste Rock

*Requirement:* The Board required DDMI to revise the ICRP to reflect that the Board did not approve DDMI's proposed changes to the closure plan for the waste rock pile, and that the 2001 plan. The Board also required DDMI to state in the ICRP that there will be no unnecessary delays in closing the waste rock pile (May 2011 Board Directive). **The Board did not require a public review of these revisions.**

*Status:* **Satisfactory** - DDMI made several edits to reflect that their proposed change to the closure plan for the waste rock pile was not approved (e.g., page 119 and page 90 of the ICRP). Although DDMI did not explicitly state that there will be no unnecessary delays in closing the waste rock pile, they estimated that they will have completed enough work within three years to determine the best closure plan for the waste rock pile. The Board believes that this meets the intent of the Board's requirement.

## 2. Processed Kimberlite Containment Facility (PKC)

*Requirement #1:* The Board required DDMI to revise the ICRP to reflect that DDMI's proposed change to the PKC cover design was not approved, and that the approved 2001 closure design for the PKC applies until the company provides sufficient information to support their proposed change. **The Board did not require a public review of this revision.**

*Status: Satisfactory* - Section 5.2.6 of Version 3.2 of the ICRP, which describes closure of the PKC, clearly indicates closure designs and planning in line with the 2001 approved design. DDMI has therefore satisfied the May 2011 Board Directive.

*Requirement #2:* The Board required DDMI to host an information session with stakeholders to explain: current operations; operational challenges and how they will or are being addressed; expected changes to operations; and closure planning and designs.

*Status: Satisfactory* - DDMI and Board staff are coordinating a visit up to the Diavik mine site for reviewers on Monday September 26<sup>th</sup>. This information session will help all reviewers understand the operational challenges of the PKC and the company's intentions moving forward. Through this session, DDMI will have satisfied this requirement from the May 2011 Board Directive.

## 3. North Inlet Sludge (2001 ICRP Conditional Approval)

*Requirement #1:* The Board required DDMI to include a summary of the results of the north inlet water treatment plant sludge characterization study and a thorough discussion and analysis regarding the closure of the North Inlet. When the environmental assessment for the project was completed, it was unknown whether the north inlet would be reconnected with Lac de Gras after closure. The quality of the water and sediment at the bottom of the north inlet are the key concerns with reconnecting the north inlet. Sludge from the north inlet wastewater treatment plant is currently being placed in the north inlet. The requirement to characterize the sludge and analyse the best closure option for the north inlet was an unmet condition of the 2001 approval of the ICRP. **The Board required a public review of this revision.**

*Status: Satisfactory* - A summary of the results from the North Inlet sludge characterization study is provided on page 143 and 144 of section 5.2.7.3 and on pages 40 and 41 of Appendix X5. The Board believes DDMI has satisfied this requirement from the May 2011 Board Directive.

Although DDMI predicts that water quality will be suitable for aquatic life, the study results show that the sludge and the sediment collecting at the bottom of the north inlet is toxic (page 143 of the ICRP). So, although the study met the Board's requirement, based on these results, DDMI and reviewers agree that more work needs to be done.

All reviewers commented on this issue; their recommendations are summed up well by Environment Canada:

EC recommends further study of this aspect of closure, perhaps as an independent study, in order to examine both how to best close the North Inlet at the end of operations, as well as what actions or changes in management of the sludge can take place now in order to improve closure. The examination of sludge management should be made a priority and addressed in as timely a manner as possible.

DDMI states in the ICRP that they will be conducting follow-up testing and studies to resolve this issue, although as observed by DFO, DDMI does not provide much detail about the follow-up work, nor does it provide a timetable. DFO recommended that an alternative disposal location be decided upon as soon as possible so the problem isn't compounded by adding more sludge that may have to be removed later as part of the remediation design for the North Inlet.

DDMI noted in their response to comments that "the work is iterative with results from one task being used to guide the next task. As such, it is difficult to fix timelines. Our best estimate is that these additional investigations will be largely complete by Q1 2012 - presuming results are conclusive."

The Board agree with reviewers that a high priority should be placed on determining whether DDMI should begin placing the sludge elsewhere. To ensure that DDMI completes their investigations in a timely fashion, The Board will require DDMI to submit quarterly investigation reports.

*Recommendation: DDMI will be required to submit the quarterly status reports beginning December 31, 2011. The reports should contain the following minimum information:*

- i. Investigation results and analysis*
- ii. Interpretation and conclusions (DDMI may not be able to answer all of these questions right away)*
  - a. What do results say about whether the north inlet can be reconnected to Lac de Gras? If water and/or sediment are not suitable for aquatic life, is there any feasible mitigation that would allow reconnection?*
  - b. Weigh the risks vs. the benefits of continuing to dispose sludge in the north inlet, considering the risks associated with the long-term stability of a permanent barrier, the risks of storing sludge on land, the operational considerations involved in storing sludge elsewhere, the various benefits of reconnecting the north inlet, etc.*
  - c. What do the results say about the best alternate location for sludge disposal, (notwithstanding any conclusions DDMI may have about whether sludge should continue to be disposed of in the north inlet)?*
  - d. Is the sludge suitable for revegetation during reclamation? If so, discuss whether sludge should be stockpiled for use in revegetation, the location of the stockpile, and any major operational implications of stockpiling sludge.*
- iii. Next steps*
- iv. Updated schedule (in recognition that it may be difficult to predict how long the investigations will take, timeframes can be approximate but should provide the Board with a sense of the pace of further work)*
- v. Any other relevant information*

#### 4. Community Engagement

*Requirement:* The Board required DDMI to clearly indicate why community engagement plans for mine closure are incomplete, what tasks must be completed to prepare the plan, and when these tasks will be completed (May 2010 and May 2011 Board Directives). **The Board did not require a public review of this revision.**

*Status:* **Satisfactory** - Board concludes that DDMI met the Board's requirement (see Section 2.4 of Version 3.2 of the ICRP and in particular page 10 and 11). The Board has previously stated its expectation that DDMI will have community engagement plans by the first Annual ICRP Progress Report (approximately one year from approval of the ICRP). The Board requires DDMI to submit documentation of its efforts to engage communities in the next Annual ICRP Progress Report (as detailed in the directive for the progress report).

Board still requires DDMI to engage with communities about on-site burial of buildings, machinery, and equipment, as per the May 2011 Board directive.

#### 5. Pit Water Quality

*Requirement #1:* DDMI's current closure plan for the open pits is to flood the pits and encourage meromixis, which is when two stable water layers develop in the pit, with only the top layer meeting water quality objectives. The Board required DDMI to define and discuss options for avoiding meromixis and clearly articulate why encouraging meromixis is superior to these options. DDMI was also required to identify and incorporate any research that is required to better understand these options. **The Board required a public review of these revisions.**

*Status:* **Satisfactory** - DDMI added a discussion addressing this requirement in Version 3.2 of the ICRP. EMAB commented that they believe DDMI met this requirement and Board staff agrees.

*Requirement #2:* In Version 3.1 of the ICRP, DDMI had provided a number of contingencies for closing the pit. The contingencies are possible actions that DDMI may take if the current plan to flood the pits and reconnect them to Lac de Gras does not work. The Board required DDMI to describe any uncertainties with the contingencies and state how these uncertainties will be addressed. **The Board required a public review of these revisions.**

*Status:* **Unsatisfactory** - DDMI described uncertainties with the contingencies for closing the open pits on pages 113 and 114 of Version 3.2 of the ICRP. However, they did not state how all of these uncertainties will be addressed, noting that "When it has been determined that one or more of these contingencies needs to be advanced in support of closure implementation, a research plan will be developed to address the uncertainty specific to the preferred contingency option(s). The research plan will be implemented upon approval."

EMAB commented that "DDMI should clarify when they plan to assess whether remedial measures will be required." They ask whether DDMI plans "to wait until the pit is flooded or will some work be done to

try and assess the potential need for a remedial action”? DDMI responded that they “expect this type of assessment to be a part of the final closure design.”

DDMI’s response to EMAB’s comment appears to be inconsistent with their statement in the ICRP that uncertainties won’t be resolved until a contingency needs to be advanced. Board staff believes that it would not be prudent to wait until a contingency needs to be advanced to resolve uncertainties, as this would likely be during or after closure, when there may not be enough time or resources to complete any required research. Although research plans for these uncertainties may not be required at this stage, DDMI should identify how the uncertainties would be addressed, as required by the Board.

Also, DFO identified an additional uncertainty, namely stability of the pit walls after flooding. Unstable pit walls could result in a landslide, which could destabilize the layers of water in the pit and cause the upper layer of water to become contaminated. This should be added to the ICRP, and DDMI should address how it would be resolved.

*Requirement:*

1. *DDMI shall remove the sentence “When it has been determined that one or more of these contingencies needs to be advanced in support of closure implementation, a research plan will be developed to address the uncertainty specific to the preferred contingency option(s). The research plan will be implemented upon approval.” And replace it with “DDMI will identify the preferred contingency in Version 4.0 of the ICRP and develop a research plan for any remaining uncertainties associated with the preferred contingency.”*
2. *DDMI shall add “Possibility that landslides from pit walls would cause mixing within the pit” to the list of uncertainties in 5.2.4.9.*
3. *DDMI shall indicate how each uncertainty could be resolved and demonstrate that there will be sufficient time to resolve these uncertainties before closure.*

*DDMI will be required to make these changes by preparing an errata sheet for Version 3.2 and submit to the Board.*

## 6. Closure Objectives

*Requirement:* The Board required DDMI to add the following statement after the objectives in Table 5 and Appendix V: “DDMI notes that reviewers recommended changes to some objectives. Recommendations in INAC-8, INAC-44, INAC-45, INAC-46, EMAB-44, DFO-2, DFO-7, TG-5, and YKDFN-25 of the online comment table for Version 3.1 of the ICRP should be discussed further as closure planning progresses. As work on improving closure criteria and finalizing closure activities progresses, the need to change objectives may arise. The Board has indicated that DDMI or any other party may recommend a change to the objectives, with supporting rationale, and that in general all parties should have the opportunity to provide input on proposed changes.” **The Board required a public review of these revisions.**

*Status:* **Satisfactory** - DDMI inserted the required text.

## 7. Materials Assessment

*Requirement #1:* The Board required DDMI to provide a complete materials assessment, preferably in table format, that clearly demonstrates the amounts of materials that:

- a. are produced from mining (e.g., Table 4-3A in Version 3.1 of the ICRP)
- b. will be used during operations, including itemized amounts to be re-mined for backfill and PKC dam raises
- c. will be available for closure, including amounts that can be mined from roads, collection pond dams etc, (but not the airstrip)
- d. are required for closure (e.g., response #5 in DDMI's March 9<sup>th</sup>, 2011 response to INAC's information request)
- e. will remain after closure (this should be a simple math exercise using the numbers above)

**The Board required a public review of these revisions.**

*Status:* **Satisfactory** - DDMI added the required information. The materials assessment is more complete than in the previous version of the ICRP and many of the estimates have been updated or corrected. We note that DDMI is now predicting that once the covers on the PKC and waste rock piles are in place, there will be little or no till left for other competing uses, such as revegetation and fish habitat creation. We expect DDMI to work towards resolving this issue as closure planning progresses.

*Requirement #2:* The Board required DDMI to provide a complete picture of the availability of, and requirement for, top-dressing materials (topsoil, sewage sludge, north inlet sludge, fine processed kimberlite, etc.). Where amounts are zero or unknown, DDMI should provide explanations. **The Board required a public review of these revisions.**

*Status:* **Unsatisfactory** - DDMI provided information on available quantities of processed kimberlite, sewage sludge and sludge from the water treatment plant. Partial information was provided on the availability of lakebed sediments, and in response to follow-up emails from Board staff (see September 26, 2011 Board Decision Package) DDMI explained that there are no lakebed sediments available for reclamation. This information completed the picture of the amounts of top-dressing material that may be available for reclamation.

However, DDMI did not provide any information on the amounts of top-dressing materials that will be required to revegetate areas of the site at closure. The company explained that this was because they have not determined whether the materials are suitable for use. The Board notes that determining the most effective top-dressing materials is a research objective in DDMI's research plan in Appendix VIII-6. Results of this research should be reported in the Annual ICRP Progress Report. Once the results are obtained and target areas for vegetation are identified, DDMI should provide estimates of required amounts of top-dressing material. In the meantime, DDMI can give context to the estimates of available top-dressing materials by providing a rough estimate of the total amount of top-dressing materials that may be required.

*Requirement –DDMI include the following in the Annual ICRP Progress Report:*

- 1. A rough estimate of the total amount of top-dressing material that may be required at closure. This could be provided as a range, based on estimates of the maximum and minimum thicknesses and areas. This information should be provided in the first Annual ICRP Progress Report*
- 2. The results of research related to effective top-dressing materials for revegetation*
- 3. Required amounts of top-dressing materials for revegetation, based on the research results*

#### 8. Reclamation Research

*Requirement #1:* The Board required DDMI to include detailed scopes of work in section 5.1 of Appendix VIII-3 (the Waste Rock Pile research plan) that are explicitly and clearly linked to their tasks in section 3.2. **The Board did not require a public review of these revisions.**

*Status: Satisfactory* - DDMI has reorganized Appendix VIII-3 so the research tasks listed in section 3.2 are more clearly linked to the scopes of work outlined in section 5.1. The scopes of work have also been re-written to provide more clarity. Board staff believes DDMI has satisfied this Board's requirement.

*Requirement #2:* The Board required DDMI to include the appropriate research question(s)/objective(s), tasks, costs, and schedule to 'identify and quantify the potential metal uptake of vegetation and the potential risks to wildlife and humans' into section 3.0 and 5.0 of the appropriate research plan. **The Board did not require a public review of these revisions.**

*Status: Satisfactory* - DDMI met this requirement in the Infrastructure Area Reclamation Research Plan (Appendix VIII-6).

*Requirement #3:* The Board required DDMI to incorporate "a description of how metal uptake in revegetated plant communities will be monitored" (Water Licence condition Part L, Item 3f) into sections 3.3 and 5.2 of the appropriate research plan with the understanding that this will be more specifically addressed in Version 4.0 of the ICRP. **The Board did not require a public review of these revisions.**

*Status: Satisfactory* - DDMI met this requirement in the Infrastructure Area Reclamation Research Plan (Appendix VIII-6).

#### **4.0 Annual ICRP Progress Report and Version 4.0 of the ICRP**

The Board will be requiring DDMI to submit an Annual ICRP Progress Report, as stated in previous directives to DDMI. The annual ICRP Progress Reports will be a useful vehicle for tracking the progress of all Reclamation Research results and determining the need to conduct further studies if they're necessary. The Board has already identified numerous changes that will need to be made in Version 4.0 of the ICRP (due approximately in 2015). The Board has compiled requirements for both the Annual ICRP

Progress Report and Version 4.0 of the ICRP in an 'Annotated Outline for Annual ICRP Progress Reports' and in the September 26, 2011 Board Directive, respectively.

## **5.0 WLWB Future Actions**

The Board have identified three additional actions that it will undertake in the future in relation to this and future versions of the ICRP, as follows:

- i. The Board will inform DDMI of the submission date for Version 4.0 of the ICRP at least 6 months in advance, and that this date be based on the progress demonstrated in the Annual ICRP Progress Reports (i.e. research, community engagement, etc.) and take into consideration the timing of DDMI's water licence renewal (the licence expires October 31, 2015). At this stage a deadline sometime in 2015 seems most probable.
- ii. The Board will determine whether a fifth version of the ICRP will be necessary later in the closure planning process, but prior to submission of the final closure and reclamation plan.
- iii. WLWB staff will continue to participate in discussions between AANDC and DDMI to finalize the security estimate based on the approved Version 3.2 of the ICRP.

## **6.0 What does approval of Version 3.2 of the ICRP Mean?**

During the review of the various versions of the ICRP, some reviewers requested that the Board provide clarification on what approval of the ICRP means. The confusion exists in part because unlike other plans submitted to the Board; this is an interim plan, so by its very nature will change. To clarify this issue, we have provided a brief description of the meaning of approval of the ICRP.

Approval of the ICRP means that the following aspects of the closure plan are subsequently approved and that supporting evidence would be required before the Board would approve changes to these aspects:

1. Closure goal(s)
2. Closure objectives; as new information is obtained, objectives may need to be modified; however, stakeholder input is required for any changes. DDMI or any other party can propose a change to the objectives
3. Preferred closure activities
4. Research plans, except the research related to closure criteria, which may be modified once the Board better defines the role of regulators and hosts the risk assessment workshop
5. Progressive reclamation program, although DDMI must identify any new opportunities that arise as operations proceed
6. Temporary or interim closure measures, although in the event of a temporary shutdown, the Board may require additional detail

## 7.0 Final Comments

The Board would like to thank all parties for their participation in this important process and to commend DDMI for its sustained effort in developing a comprehensive Interim Closure and Reclamation Plan. The Board recognizes the crucial efforts of all involved parties that are essential to the Board making the most informed and reasonable decision.

The Board would like to remind DDMI that throughout the closure planning process, they must ensure that planning activities (e.g., development of closure criteria, refining of objectives, completion of reclamation research and community engagement, proposal of final design concepts, etc.) are completed with enough time to allow for the Board's review and approval process and for the company to perform detailed engineering design work. In some cases this may mean that DDMI must propose final design concepts in Version 4.0 of the ICRP, and in other cases more work may need to be completed prior. The Board expects DDMI to apply sufficient project management resources towards closure planning to ensure that the site is closed and reclaimed on schedule.

The Board also acknowledges and expects that DDMI's closure and reclamation plan will continue to evolve in the future as new technologies and best practices become available, as research results are collected and analysed, and as the project approaches final closure. DDMI has the opportunity to provide evidence (e.g., through the completion of the appropriate research, changes in best available technologies, new information provided through the community engagement process) to the Board in the future which may support a request for changes to the ICRP. The Board would like to remind all stakeholders that recommendations, comments, and requests in relation to the plan are welcome at any time and are most helpful to the Board when accompanied by a clear rationale and sufficient evidence.

**Signed the 7<sup>th</sup> day of November, 2011 on behalf of the Wek'èezhii Land and Water Board**



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Witness



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Violet Camsell-Blondin  
Chair, WLWB