

# Consultation response

## Part 1: Your details

**Original language of response:** English

**Name:** Anonymous

**Country of residence:** United Kingdom

**Are you willing to let us publish your response publicly on the Global Tailings Review website?** Yes

**Please select which stakeholder group you are representing:** Non-governmental organization (NGO) – International

**If 'Other', please specify below:**

**Are you responding on behalf of an organization?** Yes

**Please give the name of the organization:** Anonymous

**Your level within the organisation:** Management

## Part 2: Your views on each of the Principles and Requirements in the Standard

### Topic 1: Knowledge Base

#### Principle 1

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 1 do your comments relate to?**

Comments on the Principle itself, Requirement 1.2, Requirement 1.1

#### Your comments on Principle 1

Comments on Introduction section: Best practice planning, design etc is for a broader purpose than prevention of catastrophic failure, which of course is a priority and the reason for the standard's development. However, it should also explicitly focus on the need to mitigate impacts to people and environment from the footprint (preferably direct and indirect impacts), as well as needing to be in low risk environments should a catastrophic event occur. A suggested change below to explicitly include this in the scope: Current: The Standard compels Operators to use specified measures to prevent the catastrophic failure of tailings facilities and to implement best practices in the planning, design, construction, operation, maintenance, monitoring, and closure of tailings facilities Suggested change: The Standard compels Operators to implement best practices in the planning, design, construction, operation, maintenance, monitoring, and closure of tailings facilities in order to mitigate impacts of the tailings facility footprint, prevent the catastrophic

failure of tailings facilities and in the event of failure mitigate the impacts to people and environment. Principle 1 Should Principle 1 be Develop and maintain an updated knowledge base to support safe tailings 'site selection, design and management'? Maybe this is implicit in the tailing facility lifecycle reference. Should the principle be broader than just 'safe tailings' to reflect the environmental and livelihood considerations of tailings placement and management. E.g. Develop and maintain an updated knowledge base to support safe, socially and environmentally sound tailings management across the tailings facility lifecycle. Suggest an additional requirement that takes into account high value biodiversity that may be affected by the inundation area and impacted area (compare approach to requirement 1.4 for social/ livelihood risks). Having an explicit requirement (or part of a requirement) for a robust environmental and social baseline, as well as an evolving knowledge base will be important. As an example, those companies with biodiversity commitments to no net loss or better will need to quantify their impacts based on the baseline. So both are needed. Requirement 1.1 Give some examples of resources for best practice at time of writing, perhaps as footnote or in the recommendations report Requirement 1.2 Site characterisation (in italics) is not in the glossary.

## **Principle 2**

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 2 do your comments relate to?**

Comments on the Principle itself, Requirement 2.3

### **Your comments on Principle 2**

Principle 2 This focuses on minimising risk of failure. The site and technology selection stage should also mitigate the impacts of the footprint itself. Should this be included in the Principle explicitly? It also reads that the approach is to minimise the risk of a tailings failure occurring rather than also locating the facility in a location that should a failure occur will minimise the impacts of its failure. If the latter is intended, reword to make clearer. Also risks in this standard are to people/ environment (rather than say financial risks to the company) so again be explicit. Suggestion: 'integrate the social, economic, environmental and technical information to select the site and the technologies to minimise the tailings facility footprint and mitigate the risks to people and environment from tailing facility failure. Requirement 2.3: Incorporate the mitigation hierarchy explicitly into the requirement text so it is not lost. The footnote can remain the same detail. i.e. 'Develop impact mitigation and management plans according to the mitigation hierarchy, and meaningfully.....'. Consider adding the mitigation hierarchy into the glossary.

## **Topic II: Affected Communities**

### **Principle 3**

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 3 do your comments relate to?**

Requirement 3.3

**Your comments on Principle 3**

Requirement 3.3 Suggest addition of 'avoid' to keep it upfront as an option '...in good faith additional measure to avoid / minimise those risks...'.  
Not sure

**Topic III: Design, Construction, Operation and Monitoring of the Tailings Facility**

**Principle 4**

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 4 do your comments relate to?**

Requirement 4.1

**Your comments on Principle 4**

Requirement 4.1 What timescale is 'near future' ?  
Not sure

**Principle 5**

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 5 do your comments relate to?**

**Your comments on Principle 5**

**Principle 6**

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 6 do your comments relate to?**

**Your comments on Principle 6:**

**Principle 7**

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 7 do your comments relate to?**

**Your comments on Principle 7**

## **Principle 8**

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 8 do your comments relate to?**

Requirement 8.2

**Your comments on Principle 8**

Requirement 8.2 Suggest to also or have a separate requirement to include individual personnel key performance indicators.

## **Topic IV: Management and Governance**

### **Principle 9**

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 9 do your comments relate to?**

Requirement 9.1

**Your comments on Principle 9**

Requirement 9.1 Suggest here to explicitly include the option of a no go decision (it's touched on in the Annex 2). Currently as is written the requirement it is pushing towards a go decision and assuming that steps to minimise consequences to an acceptable level is possible. Perhaps a change to the requirement along the lines of 'if additional steps are unable to minimise the consequences then a no go decision should be made. If the Board decides to proceed regardless –then it must publish reasons for its decision'. Additionally for new facilities the focus is on consequences of failure. There should be a requirement for consideration of the tailing facility footprint without failure too. i.e. in the context of biodiversity, if it's sited on critical habitat then there should be requirements for net gain in line with the IFC performance standard 6, for impacts to natural habitat the requirement should be for no net loss. See IFC PS 6 paragraphs 13 – 19 for what must be demonstrated in order for project activities to progress in natural or critical habitats.

### **Principle 10**

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 10 do your comments relate to?**

Requirement 10.5

**Your comments on Principle 10:**

Requirement 10.5 Suggest that this requirement is strengthened, or an additional requirement added to stipulate the needed for appropriately qualified personnel or third parties to conduct the studies for the knowledge base. Suggest a footnote (as

with footnote 22) that safety-critical refers to social and environmental functions.

### ***Principle 11***

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 11 do your comments relate to?**

**Your comments on Principle 11:**

### ***Principle 12***

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 12 do your comments relate to?**

**Your comments on Principle 12:**

### ***Principle 13***

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 13 do your comments relate to?**

No

**Your comments on Principle 13:**

### ***Principle 14***

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 14 do your comments relate to?**

**Your comments on Principle 14:**

## ***Topic V: Emergency Response and Long-Term Recovery***

### ***Principle 15***

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 15 do your comments relate to?**

**Your comments on Principle 15:**

### ***Principle 16***

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 16 do your comments relate to?**

**Your comments on Principle 16:**

## ***Topic VI: Public Disclosure and Access to Information***

### ***Principle 17***

**In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?**

Not sure

**Which aspects of Principle 17 do your comments relate to?**

Requirement 17.3

**Your comments on Principle 17:**

Requirement 17.3 Include reference/ examples of credible global initiatives. Perhaps some of the resources will be covered in the recommendation/ implementation guide.

## ***Part 3: Your views on the Standard***

***Your view as to whether the content of the Standard meets your expectations***

**Your view as to whether the content of the Standard meets your expectations (closed question):**

3: Meets my expectations

**Please summarize why you chose this option:**

Although areas need strengthening in relation to the treatment of biodiversity. See comments below.

***Your view on whether the Standard will create a step change for the industry in the safety and security of tailings facilities***

**Your view on whether the Standard will create a step change for the industry in the safety and security of tailings facilities (closed question):**

3: Will strengthen some but not all aspects of the safety and security of tailings facilities

**Please summarize why you chose this option:**

The standard is very focused on health and safety, which is important, but there is scope for better integration of biodiversity and ecosystem services. These are highlighted throughout the feedback on the principles / requirements. Additionally specific feedback on the consequences classification matrix is provided here with focus on the biodiversity aspects of the Environment Column. Overall comments How is significance defined? There are different classes of loss that is in increasing magnitude; significant, major, catastrophic. These will all be different depending on the status of the biodiversity feature that is impacted and can be context specific (for example, more significant consequence to an endangered species with a slow life

***Does the content of the Standard address all aspects of tailings facility management adequately?***

**Does the content of the Standard address all aspects of tailings facility management adequately (closed question)?**

No

**Please explain why and/or what is missing:**

See above on biodiversity.

#### ***Part 4: Suggestions for topics to be included in the accompanying Recommendations Report***

**On which topics would you expect to have further clarification or guidance in this document?**

1. List of current best practice resources for social and environmental baselines and knowledge gathering 2. References for credible global initiatives for transparency (17.3) 3. Section explaining high value biodiversity/ critical habitat/ no net loss and net gain commitments.

#### ***Other information***

***Non-fitting response text (text submitted which did was not in response to one of the questions above)***

***Attachment 1 reference (if applicable)***

***Attachment 2 reference (if applicable)***