

Firstly, I would like to thank you for getting this initiative underway, it is certainly something that financial institutions, as lenders to mining companies, will welcome. I am a mining engineer working for a financial institution who lends to natural resources clients and have to review tailings disposal systems as part of the due diligence process. If I could please ask that my response is not published on the website.

I have read through the draft Global Tailings Standard and have the following observations and comments:-

Tailings Facility definition

I note that you use the term “Tailings Facility” and there is no reference to “Tailings Storage Facility (TSF)” or “Tailings Dam”, which seem to be the more prevalent terms used. Is this a conscious decision? Can the terms TSF and Tailings Dam be included in the definition for Tailings Facility for clarity (assuming they have the same meaning)?

While it may be clear to most, to prevent any ambiguity, it might be worth stating that this Standard is for terrestrial based facilities only and excludes Deep Sea Tailings Placement (DSTP), submarine tailings and riverine tailings; either within the definitions or introduction.

Independent Tailings Review Board (ITRB)

The use of an Independent Tailings Review Board (ITRB) appears to add value to the process. I first came across something similar a few years ago at a client’s operation in Asia, which has a very large tailings facility. They had a Tailings Independent Review Board (TIRB) consisting of industry specialists who conducted site inspections annually. What is not clear to me from this Standard is what is the make-up of the ITRB, how often they meet, how they interact with the organisational structure (shown in Annex 3) and in what form (e.g. report and/or meeting). I believe this needs clarification.

Topic 1: Knowledge Base

Page 6 has a footnote ⁽³⁾ which states that “*Updates should be carried out whenever there is a material change to the tailings facility, the social or environmental context or conditions.....*”, I believe that *material change* needs to be better defined, potentially by way of examples, as interpretations of this could be considerably different.

Consequence Classification

A universally recognised classification will be very welcome; it has been hard to compare Tailings Facilities where there is a mixture of classification systems used. The Classification proposed is based on the inherent risk of the Tailings Facility before any mitigative measures are in place. What would be of interest is some sort of classification system that takes these mitigative measures into account thus classifying the residual risk.

In this regard, while the consequence of a dam failure in a valley impounded facility located in a mountainous highly seismic area with high rainfall might be classified as Extreme, so could a facility located in a flat lying area with low rainfall, high evaporation rates and no seismicity. Arguably the former case is likely to have higher inherent as well as residual risk and there will be more onerous requirements to ensure these risk are mitigated. I am not sure if this is highlighted or reported in any current reporting requirements, however I believe this information would be of use in public reporting.

Change management

The Change Management system described in Requirement 7.5 (page 12) should initiate an update to the risk assessments referred to in Requirement 11.1 (page 15).

Annual Tailings Facility Construction and Performance Reviews

Requirement 11.3 states that the Engineer of Record (EOR) or senior independent technical reviewer undertake annual reviews. I believe that the EOR has to do this annually as a matter of course, and any review by a senior independent technical reviewer should be

additional to this. The use of a senior independent technical reviewer is potentially covered in Requirement 11.4.

Dam Safety Review (DSR)

While there is some explanation in Requirement 11.4 about the DSR, it is not a defined term, and I believe needs further clarity. How the DSR ties in with the ITRB and in what form the output of the review is presented and to who are not clear. I would have expected that for complex higher risk Tailings Facilities this could be required annually.

DSR Contractor

While I understand the intent of the requirement that “*the DSR contractor cannot conduct a subsequent DSR on the same facility*” this could be impractical with potential limitations to the amount of qualified senior independent technical reviewer available to choose from. In addition, having the same “DSR contractor” could be beneficial from the point of view of being able to apply knowledge gained from previous DSRs on the same facility.

Change of Engineer of Record (EOR)

Requirement 12.5 (page 16) refers to the change of EOR firm. In this regard, I believe that should this occur it should initiate the change management process referred to in Requirement 7.5 (page 12).

Compliance Benefit

While this may not be the remit of this Standard I believe that it would be beneficial for the owners/operators of Tailings Facilities to be somehow recognised for the mitigative strategies in place. It is something that would need to be administered by government regulatory departments in a similar way that rehabilitation liabilities are managed in some jurisdictions, where the owner/operator of a mine can reduce their financial bond by being proactive with rehabilitation and receive discounts for certain criteria.

Equator Principles

The Equator Principles (EP) is a risk management framework, adopted by financial institutions, for determining, assessing and managing environmental and social risk and it is a requirement for mining projects to be compliant as part of the project finance approval process. As other standards, principles and conventions are referred to in this Standard I believe it would be of value to include the EP, which refers to some of the same requirements such as an Environmental & Social Management Plan, Stakeholder Engagement, Grievance Mechanisms, Independent Review and Independent Monitoring & Reporting.

I hope that this feedback is constructive and I am happy to be contacted to discuss in more detail if required.