

# Consultation response

## Part 1: Your details

**Original language of response:** English

**Name:** Peter Boyd

**Country of residence:** Australia

**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:** Government

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

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

**Please give the name of the organization:** Dams Safety NSW

**Your level within the organisation:** Management

## Part 2: Your views on each of the Principles and Requirements in the Standard Topic I: 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?**

Yes

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

Your comments on Principle 1

### Principle 2

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

Yes

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

Requirement 2.5

### Your comments on Principle 2

The words: 'amount of financial assurance shall be reviewed periodically' is used here. This is the first time financial assurance appears in the standard, so it is difficult to understand what it is to be reviewed. Requirement 2.6 does provide some additional explanation (although it comes after 2.5). Perhaps an additional requirement is needed (before 2.5) to require financial assurance and to explain what that means.

## 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?**

Yes

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

**Your comments on Principle 3**

### ***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?**

Yes

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

**Your comments on Principle 4**

#### ***Principle 5***

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

Yes

**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?**

Yes

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

Comments on the Principle itself

**Your comments on Principle 6:**

Footnote 22 states: 'In all cases, minimizing risk means minimizing risk to people, environment and the Operator'. It would be beneficial to add 'the community' to include the economic aspects that need to be considered: In all cases, minimizing risk means minimizing risk to people, environment, the community and the Operator

#### ***Principle 7***

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

Yes

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

Requirement 7.2

**Your comments on Principle 7**

The 'Quality Control, Quality Assurance and Construction vs Design Intent Verification (CDIV)' does not appear in the glossary. It is unclear what this is.

## **Principle 8**

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

Yes

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

Requirement 8.3

**Your comments on Principle 8**

"Trigger Action Response Plans is actually written as: 'Trigger Response Action Plans' and the term is miss-spelt in the Acronyms section

## **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?**

Yes

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

Requirement 9.2

**Your comments on Principle 9**

Requirement 9.2 states: '...the Board or senior management (as appropriate based on the Operator's organizational structure) shall mandate additional steps to minimize the consequences and publish reasons for its decision...' '...additional steps to minimise consequence' is incorrect and should read '...additional steps to minimise risk'. There is little to be done to minimise consequences apart from moving the people (which would lower the potential credible failure below extreme/very high anyway) or having a better emergency response plan. Lowering risk also lowers the likelihood of the dam failing, which I think was actually meant.

### **Principle 10**

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

Yes

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

Requirement 10.1

**Your comments on Principle 10:**

Requirement 10.1 states: 'The commitment shall require the Operator to establish a Tailings Management System (TMS), and a governance framework to assure the effective implementation and continuous improvement of the TMS.' The TMS requirements are listed in the Glossary. 'ISO 55001, Asset management—Management systems—Requirements', could be adopted as an established international management system standard that could be used as the basis for the TMS.'

### **Principle 11**

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

Yes

**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?**

Yes

**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?**

Yes

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

Yes

**Your comments on Principle 13:**

It is problematic to mandate, in a standard: 'Develop an organizational culture that promotes learning and early problem recognition'. A culture is a very difficult thing to develop and measure. It would be better to have: 'Encourage an organizational culture that promotes learning and early problem recognition' In requirement 13.4 a 'internal incident accidents' are introduced The TMS should include a requirement of a incident management system. The incident management system should support 'just culture' principles to encourage a culture that supports reporting of incidents so that incidents are captured to enable system improvements.

### ***Principle 14***

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

**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?**

Yes

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

Comments on the Principle itself

**Your comments on Principle 15:**

A requirement for 'exercising' or 'testing' the ERP should be mandated

### ***Principle 16***

**In your view, will compliance with this Principle and its Requirements contribute to the prevention**

**of catastrophic failure of tailings facilities?**

Yes

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

Requirement 16.3, Requirement 16.5

**Your comments on Principle 16:**

The 'Reconstruction and Recovery Plan' required in 16.3 is not included in the Glossary, so the thresholds and indicators described in requirement 16.5 are difficult to understand

## **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?**

Yes

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

**Your comments on Principle 17:**

## **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:**

It will raise the standard of facilities management. It will integrate with the NSW, Australia regulatory regime.

*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):**

4: Will deliver improvements across all aspects of the safety and security of tailings facilities

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

While NSW, Australia has had a rigorous regulatory requirement for tailings facilities for some time, this is not the case in all parts of the world

*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:**

**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?**

**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)*

