

Consultation response

Part 1: Your details

Original language of response: English

Name: Rick Siwik

Country of residence: Canada

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: Consultant (non-geotechnical)

If 'Other', please specify below:

Are you responding on behalf of an organization? No

Please give the name of the organization:

Your level within the organisation:

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?

Partially

Which aspects of Principle 1 do your comments relate to?

Comments on the Principle itself

Your comments on Principle 1

Many regulatory approval processes have a "no go" decision as to whether a project should proceed. In my experience, there are tailings facilities that should have never been approved or built as the risks were too high. In some cases, risk cannot be engineered out as the natural or social environment will be significantly impacted. It would be prudent to state somewhere in this standard "Approval of tailings facility in sensitive social or environmental areas will be difficult.

Principle 2

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

Partially

Which aspects of Principle 2 do your comments relate to?

Comments on the Principle itself

Your comments on Principle 2

The title "Knowledge Base" is confusing. The preamble speaks about the Operator pursuing best practices but Principle 1 only deals with technical knowledge. There is general agreement in the industry that competency, the skills and knowledge, are key to decision making. Please consider rewording Principle 2 to "Competent decision-making when integrating the social"

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?

Partially

Which aspects of Principle 3 do your comments relate to?

Requirement 3.1

Your comments on Principle 3

Requirement 3.1 should not lead the discussion but rather end this topic. Suggest making it the last requirement. The wording implies that the tailings facility will fail. A more positive statement would be "to understand in the unlikely event of a tailings facility failure...."

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?

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?

Yes

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?

Yes

Which aspects of Principle 8 do your comments relate to?

Your comments on Principle 8

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?

Partially

Which aspects of Principle 9 do your comments relate to?

Requirement 9.1

Your comments on Principle 9

In many cases, decision making on a new facility rests with junior mining company with little to no experience or inadequate information from a joint-venture partner. In these cases, success would require a fully functioning tailings management system, and an ITRB in place prior to construction and operation of this facility. With junior mining companies, more guidance is needed for 9.1. You may wish to add ""Additional steps would include : creation of an ITRB for design, an implement TMS for construction... ""

Principle 10

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

Partially

Which aspects of Principle 10 do your comments relate to?

Requirement 10.2

Your comments on Principle 10:

Annex 3 provides a good structure for a multiple mine company. With a single mine company the technical competence usually rests at the mine site and not at senior management or the corporate office. The Accountable Executive should have independence from the mine manager. An important statement to reflect this oversight and independence should be added, such as, "The Accountable Executive will have oversight for and independent of site tailings management system."

Principle 11

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

No

Which aspects of Principle 11 do your comments relate to?

Comments on the Principle itself, Requirement 11.2, Requirement 11.4

Your comments on Principle 11:

From my experience there is confusion with respect to management and governance with respect to tailings facilities. There is a perception that completing a DSR also includes a TMS audit. In other examples, the TMS audit did not properly address all the risk associated with tailings facility. The requirements are well written but the Principle speaks about a risk management system. This Principle needs to be re-written to a higher level. Suggest "Establish an oversight process to effectively execute management of tailings facilities with assurance measures with internal and external audits and reviews."

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?

Partially

Which aspects of Principle 13 do your comments relate to?

Yes

Your comments on Principle 13:

In many cases, only the RTFE has a full understanding of the risks associated with the tailings facility. Principle 11 spoke about the risk management system. There should be a new Requirement to deal with risk. The following is proposed: Train all employees and contractors on the risk assessment and management associated with tailings facilities and emergency response.

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?

Partially

Which aspects of Principle 15 do your comments relate to?

Requirement 15.4

Your comments on Principle 15:

There are limited number of mine sites that have sufficient equipment and materials on hand to respond to written failure mode. Need to add a statement about readiness means having sufficient equipment and material on site to reduce the impact of a failure.

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?

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?

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):

2: Falls somewhat below my expectations

Please summarize why you chose this option:

Based on my edits.

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):

5: Will deliver a step change in all aspects of the safety and security of tailings facilities

Please summarize why you chose this option:

The MAC guide has significantly improved the state of practice in Canada. This will help improve the state of practice in the rest 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:

Governance was not properly addressed.

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?

Incorporating the edits of reviewers should be sufficient to change the current state of practice.

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)