

December 30, 2019

Dr. Bruno Oberle – Chair – Global Tailings Review
Global Tailings Standard Expert Panel

Via email: bruno@globaltailingsreview.org
consultation@globaltailingsreview.org

Re: Global Tailings Review – Draft Global Tailings Standard

Dear Dr. Oberle and members of the Expert Panel,

The Saskatchewan Mining Association (SMA) would like to thank you for the opportunity to provide input into the draft Global Tailings Standard (GTS or ‘the Standard’). The SMA and our members have many decades of experience in safely and effectively: designing; siting; constructing; operating/maintaining; decommissioning/reclaiming; monitoring and managing tailings facilities in a manner that have prevented any human fatalities and with only very minimal/localized impacts to the environment.

In order to facilitate the incorporation of our comments into the GTS, the SMA has arranged our comments to include our more overarching comments, using the section titles found in the GTS document, within the letter portion of our response. Our more detailed comments are provided in the enclosed appendix, which has also been arranged consistent with the sections in the GTS. A General Comments section, not found in the GTS, has been added directly below.

General Comments

The SMA would first like to note that the presumption that all tailings facilities are classified as “extreme” as identified in Principle 4 unfairly characterizes many tailings facilities, including those found in Saskatchewan. Viewing a small purpose-built in-pit tailings facility located on a flat landscape many kilometers away from the nearest community, which has zero risk to the public, in the same manner as a very large tailings facility perched on the side of a mountain above a village is highly inappropriate.

The Standard does not really mention dam engineering bodies such as the Canadian Dam Association (CDA). The CDA (or equivalent associations) should be key stakeholders and important in determining best practices, with respect to the technical aspects of this Standard.

The scope and scale of this Standard must be developed in a manner that respects the original intent of this project, which is to ensure zero fatalities due to catastrophic tailings facility failures. The focus of this Standard should be confined to those facilities that pose the greatest risk. **With this in mind there should be a clear mechanism for tailings facilities that pose little to no risk to human life to be exempted from the Standard.**

The terms “Engineer” “Engineer of Record”, “Independent Tailings Review Board”, “Responsible Tailings Facility Engineer” and “Senior Technical Reviewer”, should include a term such as “or similar” to allow for flexibility in recognizing the different requirement in various jurisdictions. For example, in Saskatchewan, *The Environmental Management and Protection Act, 2010* uses the term “Qualified Person” but then specifies the qualifications that are required for meeting specific aspects of the Act, in the Saskatchewan Environmental Code, or in the regulations made pursuant to the Act. In many cases this may be an engineer, but in others, it may be a geoscientist, chemist, industrial hygienist, etc..

In our opinion, this requirement should be focused more on the intent rather than a specific term or occupation. The goal is to ensure that an individual (or group of individuals) is/are qualified, competent and experienced to carry out the specific task or scope of work required.

The SMA anticipates that the introduction of this standard will create a false/escalated economy specific to various roles as well as limited access to these qualified persons (senior technical reviewers, ITRB members, etc. charging out at potentially \$500+/hour). The Expert Panel is asked to consider what methods might be looked into from a global perspective to mitigate this concern.

With respect to the requirements around Tailings Management Systems and Environmental and Social Management Systems there should be enough flexibility in the Standard to allow for a variety of already well-established systems such as those developed by members of the SMA. This will aid in the uptake of the Standard.

With respect to when an ITRB is required vs. when an independent senior technical reviewer is acceptable, it is our understanding that ITRBs are only required in cases where the consequence classification is “Very High” or “Extreme”. This should be clarified and defined in the glossary. It is also unclear as to whether the board needs a particular number of members or certain required backgrounds, and the level of review is also unclear (high level vs. detailed).

The Standard must clearly delineate the threshold for when dam safety reviews, ESMS reviews, annual construction reports, and potentially an independent tailings review board are required. To require these for tailings facilities with lower risk classifications is an unnecessary use of human and financial resources that could otherwise be allocated to ensuring the long-term safe and effective monitoring and management of a tailings facility.

Clarification is necessary on the scope of each requirement for: new; expanded; former; closed; and abandoned (state-owned) tailings facility. It seems unnecessary to apply all the requirements to all cases. This clarification could help to avoid misunderstandings and long discussions on when and how the requirements come into effect. These requirements should only apply to tailings facilities with “Very High” or “Extreme” **risk** classifications.

Foreword

The Foreword includes a comment that “Ultimately, Operators are required to strive towards zero harm to people and the environment – with zero tolerance for any human fatality.” This resonates with the SMA’s mission to advance a safe, sustainable and globally competitive exploration and mining industry in Saskatchewan that benefits all residents of the province.

As noted above, SMA members have operated their facilities with integrity to prevent fatalities due to tailings facility failures and have had only very minimal/localized impacts to the environment.

We also agree that tailings facilities are complex structures operating in diverse operating conditions/climates, regulatory regimes, proximity to communities and a host of other factors. It is therefore important for the GTS to recognize that “one size does not fit all” and thus flexibility is required.

When categorizing tailings facilities, it is important that both the **consequence of failure**, as well as the **likelihood of failure**, is considered. This is critical in ensuring that the appropriate level of effort is expended to ensure the safe and effective: design; siting; construction; operation/maintenance; decommissioning/reclamation; monitoring and management of a tailings facility. Within the Standard the term “risk” is utilized; however, the document is structured solely to consider the consequence, without the component of likelihood being considered in the classification matrix. This must be corrected to ensure that both components are considered.

An example showing a generic risk rating, which includes both the consequence as well as the likelihood, is provided below. This approach has already been utilized by our members and could be easily adapted to the risks associated with tailings facilities that would be covered by this Standard.

		Consequence				
		Insignificant	Minor	Moderate	Major	Severe
Likelihood	Almost certain	Medium	High	High	Extreme	Extreme
	Likely	Medium	Medium	High	Extreme	Extreme
	Possible	Low	Medium	Medium	High	Extreme
	Unlikely	Low	Low	Medium	High	High
	Rare	Low	Low	Low	Medium	High

https://safety.unimelb.edu.au/_data/assets/image/0011/2235386/risk-rating-calculation1.png

Introduction

The GTS appears to be somewhat contradictory in that it sets out specific requirements in the various sections, and yet it also indicates that best practices are to be used. In some cases, best practices will be inconsistent with the GTS and it is not clear how these inconsistencies would be managed. The SMA’s concern is that the GTS will impose a lower standard than a current (or future) best practice. Again, flexibility in meeting the GTS should be incorporated in the 2020 version of the Standard.

The Introduction also indicates that “Operators are also expected to innovate and apply new technologies and mining methods that reduce risks and minimize consequences should problems arise.”. The SMA would suggest that this be revised to include the terms “approaches” and “best

practices” to allow for enhancements in more than just technology and mining methods.

The Standard makes multiple references to the “Operator” and the SMA would suggest that this be revised to reflect the “Owner” as it is the owner that should be recognized as having the ultimate responsibility for the operations. Throughout our response we will use the term “Owner” rather than “Operator”.

The SMA agrees with the concept of public disclosure; however, there must be a clear understanding of the scope of this disclosure. For example, in Saskatchewan, all reports submitted to the Ministry of Environment are publicly available through *The Freedom of Information and Protection of Privacy Act*. This Act allows any person the right to apply for access to records in the possession or under the control of a government institution or local authority in Saskatchewan, subject to certain exemptions. Reference to public disclosure should clearly indicate that it must follow the reporting required in the jurisdiction in which the operation is located.

A Systems Approach

SMA members already utilize the ‘Plan, Do, Check, Act’ cycle in the management of their tailings facilities, and we therefore support this time-tested reliable approach. Where the SMA has concerns is around the prescriptive requirements for the organization and reporting structure found within the GTS, even though this section appears to recognize the need for flexibility. We firmly believe that each company is best suited to determine its own overall organizational/reporting structure based on the specific needs and risks associated with their operations. The SMA would recommend that subsequent sections recognize the need for organizational and reporting flexibility. This will allow for the appropriate structure to be developed based on the consequence and likelihood of a tailings facility failure rather than on an arbitrary “one size fits all” approach.

The Role of the State

The SMA agrees that the State plays a key role in ensuring that tailings facilities are properly implemented. In Saskatchewan (Canada), this process is initiated through discussions with local communities (including Indigenous communities) and local and federal environmental assessment and regulatory authorities. The studies (not just those related to tailings facilities) undertaken in support of a mining operation can take years to conduct and to be reviewed by interested stakeholders and regulators. Input from these reviews are carefully considered by the Owner and adjustments are made to address concerns raised during the review. Once the Environmental Assessment process is completed, the Owner must then seek subsequent approvals from the regulatory authorities to proceed with construction and operation of a facility.

A best practice found in Saskatchewan is the requirement for an Owner to develop a conceptual decommissioning and reclamation plan as part of the Environmental Assessment process. An approval to construct and operate a facility is not granted until a Financial Assurance Fund is provided commensurate with the liabilities identified in the decommissioning and reclamation plan. The Provincial (State) requirement for this was required beginning in 1996. Owners are required to update this plan and fund at least once every 5 years to ensure that they reflect the current status of the site (including the tailings facility).

State officials are also responsible for inspections and audits of the sites. Their respective reports identify any non-compliance areas as well as opportunities for improvements. In addition to inspections and audits conducted at our operations, there are a number of federal and provincial (State) reporting requirements, including technical reports on our tailings facilities. Saskatchewan mining Owners have a very positive record with respect to compliance with regulatory requirements. This section of the Standard indicates “The Standard is not intended to displace or pre-empt any requirement of applicable law, and where conflicting, applicable law shall prevail.” This is an important consideration and this lens should be used when finalizing the 2020 version of the Standard.

The document does not discuss the role of the State in preventing disasters from the point of view of land control. There is a lot of progress that could be made if appropriate set-backs were developed for tailings facilities, especially in the case of new mines. While the Owner should continually reassess an inundation area, and make the State aware of such an area, State's should also incorporate the knowledge of such an area into their land development plans. States could introduce administrative controls and “no-build zones” surrounding new and existing facilities. This is touched upon with the language around "re-settlement"; however, it does not speak to the role of the State in administrative controls to protect the public.

With the above in mind, and recognizing that States have the ultimate authority in most jurisdictions, it is important to provide flexibility in the GTS to ensure that the Standard does not conflict with State requirements, particularly for those with comprehensive regulatory regimes such as those found in Saskatchewan.

The Role of Other Stakeholders

While the SMA recognizes that there are a vast multitude of stakeholders, those of most interest to our members are those stakeholders that are located in close proximity to our operations. As noted above, communities located close to our operations are consulted in advance of siting and constructing a mine and tailings facility and our Owners provide ongoing opportunities to discuss the status of operations, including any proposed changes or issues that may be of interest to these neighbours. In the vast majority of cases, these discussions are very positive and constructive.

SMA members also work with local communities, including Indigenous communities, to provide opportunities for employment, business opportunities throughout the supply chain and in some cases other arrangements to provide value to local communities. SMA members are also among the largest employers of Indigenous Peoples in the province.

Polling consistently demonstrates that the Saskatchewan public is very supportive of the Saskatchewan mining industry (89%); with 97% indicating it is very important to the province. The mining sector has earned this support through decades of being good neighbours in the communities they operate in, throughout the province. The majority (72%) of respondents are also confident the federal/provincial regulatory system ensures adequate safeguards to protect Saskatchewan's environment.

The SMA would recommend that the Standard provide flexibility in how stakeholders are engaged to ensure that well established relationships (often developed over decades) can be maintained once the Standard is finalized and not require a duplicative effort.

Implementation

It is unclear if the scope and scale of items listed in the Implementation section refers only to those tailings facilities identified as “Extreme”, “Very High” and “High” (when considering both consequence and likelihood) or if they are meant to apply to all classifications. It is also unclear as to who is going to manage the various aspects of the Standard’s implementation.

Although not stated, it appears that a new organization or agency would be required to manage this world-wide initiative. Simply having a standard will not ensure it is implemented and updated. It is also not clear how such an entity would be funded and governed.

The SMA would suggest that significant effort will be required to develop such an organization or agency, and as such, the Standard should remain in Draft until such time as this implementation entity is established and operational.

The Expert Panel is reminded that it is the States that have regulatory jurisdiction over tailings facilities; and therefore, the requirements of this Standard must provide the flexibility to allow for implementation of the Standard while meeting all regulatory requirements. Failure to do so will severely limit uptake of the Standard as an Owner’s first duty is to follow the laws and regulations of the jurisdiction in which they operate.

Closure

As noted above, we believe that the scope and scale of this Standard must be developed in a manner that respects the original intent of this project, which is to ensure zero fatalities due to catastrophic tailings facility failures. The focus of this Standard should be confined to those facilities that pose the greatest risk. **With this in mind there should be a clear mechanism for tailings facilities that pose little to no risk to human life to be exempted from the Standard.**

The SMA and our members would like to once again thank you for the opportunity to provide our comments and look forward to reviewing the 2020 version of the Standard as well as the accompanying report. Because of the very compressed timeframe to develop this standard, it is our expectation that development of the next version will be undertaken in short order to address any issues identified with this version. The SMA and our members look forward to participating in future standard development consultations.

The SMA and our members would also welcome the opportunity to tour you, members of the Expert Panel and/or the Multi-stakeholder Advisory Group around our various mining operations to allow them the opportunity to view our world-class tailings facilities.

We would also like to note that the SMA is also a member of the Mining Association of Canada and we have provided input into their submission. We would therefore like to provide our support for their submission.

About the Saskatchewan Mining Association

The SMA represents over 35 member companies that explore for and produce minerals in Saskatchewan, Canada. Our members operate over 20 active facilities throughout Saskatchewan as well as over two dozen corporate offices. A number of our members also operate mining and milling operations around the world. From 2007–2018, the Saskatchewan mining sector invested over \$30 B in developing new or expanding existing mines. From 2018 – 2028, there are currently 18 major resource projects identified as under construction or planned in Saskatchewan, representing \$21 B in investment. It should also be noted that some members of the SMA are also members of the Mining Association of Canada and/or the International Council on Mining & Metals.

Yours Sincerely,



Pam Schwann
President
Saskatchewan Mining Association

Enclosure

cc: Honourable Seamus O'Regan – Minister, Natural Resources Canada
Honorable Dustin Duncan – Minister, Saskatchewan Ministry of Environment
Honourable Bronwyn Eyre – Minister, Saskatchewan Ministry of Energy and Resources
Honourable Jeremy Harrison – Minister, Saskatchewan Trade and Export Development
Pierre Gratton – President & CEO, Mining Association of Canada
Tom Butler – Chief Executive Officer, International Council on Mining & Metals
Charles Dumaresq - Vice President, Mining Association of Canada
Don Butcher – Executive Director, Canadian Dam Association
Brad Sigurdson – Vice President, Saskatchewan Mining Association

Saskatchewan Mining Association - Detailed Comments on the draft Global Tailings Standard

Topic (#)	Principle (#)	Requirement (#)	Comment or Edit
Topic 1	Principle 1	Requirement 1.1	Social and economic context is not related to safe tailings management. Scientific principles govern material properties and stability. There should not be a minimum update frequency defined if there are no material updates to the tailings facility. The term "regular" or "regularly" is referenced in this section. The footnote provides some clarity; however it may be more appropriate to use "regularly at the EOR's discretion"
Topic 1	Principle 1	Requirement 1.2-1.3	"regularly update the site characterization/inundation study", should be revised to indicate regularly update the site characterization/inundation study, where a material change has occurred "
Topic 1	Principle 1	Requirement 1.4	Livelihood and demographic data such as social, cultural, and political systems are not related to safe tailings management. Scientific principles govern material properties and stability. The effort that would be required to collect this information from individuals is impractical and the information would not support safe operation of a tailings facility. Groups at risk are all considered equally in North America regardless of gender, diversity, and vulnerability (i.e. a life at risk is a life at risk). Note 8 should be removed. It is important to recognize in the Standard that not all tailings facility failures result in an inundation event.
Topic 1	Principle 1 / Principle 2	Footnote 4 / Footnote 10	The "knowledge" is and will continue to be based on all available data. Tailings facilities will be designed based on this data. EORs of operating sites will make decisions based on the available data. The "Consequence Classification" and "Loading Criteria" are extremely conservative so we are not sure of the benefit of including this footnote. If this document is already proposing the most stringent, conservative criteria, it seems this is an "over and above" statement that may cause confusion and may be impractical to "capture" as it states due to the significant uncertainties. If this footnote is included as-is, it will be a significant challenge for all readers to have the same interpretation of what it means.
Topic 1	Principle 2	Requirement 2.1	The Standard requires recognition that site selection alternatives analysis requirements can only be fulfilled for new facilities. We acknowledge that an EPRP is required for a potential tailings dam failure, but whether it is a stand alone document or integrated into a broader, existing management system should be up to the Owner.
Topic 2	Principle 3	Requirement 2.5-2.6	Sections 2.5- and 2.6 make reference to financial assurance. The SMA agrees that this is an important consideration but the Standard should be revised to indicated that Financial Assurance requirements should be those required by the jurisdiction having authority and not be an additional (duplicative) financial assurance requirement to meet the Standard.
Topic 1	Principle 2	Requirement 2.4	Definition or guidance for "Material Change" would be beneficial. This is left for interpretation currently. Interpretation will differ based on the reader.
Topic 1	Principle 2	Requirement 2.6	Who determines what is "appropriate insurance"? What if insurance providers deny coverage? Does it matter what the reason for the denial is based upon?

Topic 2	Principle 3	Requirement 3.2	"Meaningfully engage" - This term needs clarification within the definitions. As written, it assumes two (or more) parties who are holding open constructive conversation. It does not account for situations where one or more parties are hostile. It is also difficult to audit. The definition in the glossary and footnote 18 also need to be aligned.
Topic 2	Principle 3	Requirement 3.3	The term "in good faith" is used to refer to the effort an Owner should take if the risks of potential tailings facility failure could result in loss of life. This clause creates uncertainty in the amount of effort an Owner should actually put into considering risk minimization. Also, the term says "shall consider", not assess or analyze, which would put a more definitive requirement on the Owner to undertake a well-funded and thought-out program.
Topic 3	Principle 4	Requirement 4.1	This requirement is very traditional slurry focused and leaves no room for "less risky" methods. Tailings facility classifications should be based on the actual Environmental, Human Safety, and Infrastructure/Economic impacts of a failure, not an arbitrary/automatic placement into the most severe category. Requiring a facility to complete a facility upgrade design and proving it is feasible (anything is feasible if you throw enough resources at it) prior to allowing lower classifications is excessive and an unreasonable use of company resources (time, money, personnel, etc.). If a design is completed and feasible what is stopping the ITRB from then just forcing implementation? Recommend to either remove this Principle or rewrite it to follow existing/adopted classification tables (for example, Canadian Dam Association), and for classifications to be based on actual impacts.
Topic 3	Principle 4	Requirement 4.1 (a)	The wording "including no potential for impactful flow failures" is confusing. Is the intent to mean that any facility with saturated tailings will not be considered for a lower classification? If so, this may be contradictory to the previous statement. You can have tailings facilities that have the ability to generate a flow failure that are not "very high / extreme" in consequence classification. This wording should be removed.
Topic 3	Principle 4	Requirement 4.3	"Greatest extent possible" is too open to interpretation and "unbounded" in application. "Reasonably practicable" is much easier to grasp and thus to apply.
Topic 3	Principle 5	Requirement 5.1	"implementation of alternative options" - mining operations in Saskatchewan have a long history of research, innovation and continuous improvement as part of their operations. The Standard should incorporate a mechanism for recognizing these efforts.
Topic 3	Principle 5	Requirement 5.1	Risk reductions mid-operation can be attained – but consideration requirements should be risk-based/informed.
Topic 3	Principle 5	Requirement 5.5	To what level of design is this intended? It is very hard to make a statement such as this without including the expected level of design. We would assume "conceptual" as you likely only have enough data/information to complete a conceptual design for the specified stages. This would change over time and you could definitely improve upon the initial conceptual designs for the stages, but you will not have enough data/information to complete anything further than "conceptual" at the initial stages. Future designs (completed today) will quickly be obsolete and outdated. Recommend revising or removing this requirement. If revised, it should only apply to new tailings facilities.
Topic 3	Principle 5	Requirement 5.5	Clarify to indicated that closure requirements must also meet local regulatory requirements.

Topic 3	Principle 6	Requirement 6.1	"Minimize risk" is a subjective term. Design criteria should be adopted in order to meet required and actual/quantified Factor of Safety, Regulatory, Permit, other requirements. Recommend revising or removing requirement 6.1 due to ambiguity.
Topic 3	Principle 6	Requirement 6.2	Rather than simply applying a factor of safety, this could be achieved by shifting to require QA/QC processes for the items listed.
Topic 3	Principle 6	Requirement 6.3	This kind of requirement should only be included if the risk identification warrants it; and even if it is, a less prescriptive requirement is more suitable.
Topic 3	Principle 7	Requirement 7.2	CDIV is overly prescriptive.
Topic 3	Principle 7	Requirement 7.3	The term "any change" is excessively broad. Recommend revising to indicate "any material change" as this is less subjective. It is also unclear who should write the construction records report. Should this not be a requirement of the EOR or RTFE? EOR should "sign and seal" this report.
Topic 3	Principle 7	Requirement 7.4	It is unclear who should write the OMS manual, though the condition requires the EOR and RTFE to provide access to this report. Should it be written by the EOR and RTFE in conjunction with operations or can anyone write this document?
Topic 3	Principle 7	Requirement 7.5	Revise "Deviance Accountability Report (DAR) to include "or similar report" as company or regulatory requirements may call this report something else .
Topic 3	Principle 7	Requirement 7.8	A review of the ESMS every 3 years would be too often if a facility was not within the extreme category. This is a good example of how this document could lead to the over-regulation of small, low risk facilities. This is the role of the certification bodies / external auditors of EMS, not the ITRB (different skill set required). Clarification is required to indicate the proper reviewer.
Topic 3	Principle 7 / 8	Requirement 7.8 & Requirement 8.4	For these requirements, we have concerns regarding Public Access to Information. There may be confidential information, including information covered by Securities regulations, included in these documents that Owners could not legally disclose. The scope of information needing to be released should be carefully developed. Requiring reporting on a minimum quarterly basis is overly onerous, particularly for operations with lower risk....again highlighting that this document is focused on requirements for Extreme and High Risk facilities. The reporting frequency should be risk-informed.
Topic 3	Principle 8	Requirement 8.1	Recommend deleting the reference to the "Observational Method". We would suggest that the monitoring program be aligned with the performance objectives and risk management plan.
Topic 3	Principle 8	Requirement 8.3	In some cases, the EOR may be completing the analysis, therefore submitting evidence to the EOR may not be required in all circumstances; the key aspect is the response to the analysis.
Topic 3	Principle 8	Requirement 8.4	Public disclosure is covered in Topic VI and therefore it should not be included here. Recommend removing.
Topic 4	Principle 9	Requirement 9.1-9.2	Decision-making responsibility is managed/administered at the discretion of the Owner and their organizational structure. The role of the Board is not to review and approve designs and proposals. Board composition often contains people from backgrounds not specific to Engineering and Geological Sciences, and this requirement does not align with governance best practices. Recommend revising or removing this requirement.

Topic 4	Principle 10	Requirement 10.2	EoR must be able to contact the Accountable Executive directly .
Topic 4	Principle 10	Requirement 10.2-10.3	It is not appropriate for this (or any) Standard to specify how a Company is to arrange its Organizational Structure. Recommending specific titles like the Responsible Tailings Facility Engineer is unnecessary. Recommend removing Note 24 and Annex 3.
Topic 4	Principle 10	Requirement 10.4	A performance incentive program for tailings facilities could lead to the lack of reporting or transparency for poor conditions. Tailings facilities may need work from time to time considering their nature as living structures constructed from earthen materials. To take away a bonus because a tailings facility requires improvements could be seen as punishment and dissuade reporting. An unintended consequence may be “don’t ask, don’t tell” elevating risk rather than lowering it. SMA members have tried utilizing these reward systems in the past and have, in most cases, removed them because they were ineffective and at times had the opposite result than was intended.
Topic 4	Principle 10	Requirement 10.5	Identification of qualifications and experience already occurs and is governed by HR principles and policies, Licensing bodies (such as those regulating the engineering and geosciences professions), and Owner practices/requirements. No need to restate this here. There is a lack of clarity regarding the responsibilities of the EOR. Is it their responsibility to have their succession plan or is it the responsibility of the Owner to be prepared for the scenario in which an EOR resigns?
Topic 4	Principle 11	Requirement 11.1	The term ITRB is used, but requirement 2.2 indicates that a SIR can be used for lower risk sites. This makes the requirements of principle 11 unclear for sites that are not extreme risk. If a qualified multi-disciplinary team is used for the risk assessment, having the ITRB conduct a further review is unnecessary. Recommend removing this requirement.
Topic 4	Principle 11	Requirement 11.3	Not all tailings facilities employ annual construction; performance reviews should be an owner requirement (with support / involvement from others as applicable)
Topic 4	Principle 11	Requirement 11.4	With respect to periodic Dam Safety Reviews (DSRs) by senior independent technical reviewers it is stated that “The DSR contractor cannot conduct a subsequent DSR on the same facility.” Suggest clarity on the following: <ul style="list-style-type: none"> - Is “contractor” referring to individual engineer(s) or engineering firms? - Does this mean that a contractor can never review a facility twice? - Understanding the intent and need of having fresh eyes on DSRs, the specified frequency of review is 3 to 10 years depending on the level of risk/regulatory requirements. Depending on how “contractor” is defined and the review frequency, it may be challenging to find qualified expertise over time, particularly with a known global shortage of qualified tailings engineers. We will quickly run out of experts if we can never use the same person twice for our DSRs
Topic 4	Principle 12	Requirement 12.4	Suggest revising the wording of "Given its potential impact on the risks associated with a tailings facility, the selection of the EOR shall be decided by the Accountable Executive or delegate and not influenced or decided exclusively by procurement personnel." as shown in red.
Topic 4	Principle 13	Requirement 13.2	Incorporation of workers’ experience-based knowledge would be very difficult to audit.
Topic 4	Principle 13	Requirement 13.5	What if employees do not want to be recognized?

Topic 4	Principle 14	Requirement 14.4	This type of protection already exists in North American law (and assumed in most/all other jurisdictions).
Topic 5	Principle 15	Requirement 15.1	It is necessary to include a proportional approach, ALARA type (As Low As Reasonably Achievable), with regard to some requirements.
Topic 5	Principle 15	Requirement 15.2-15.3	Remove as this is covered more broadly (and more appropriately) in 15.4
Topic 5	Principle 15	Requirement 15.4	Liability issues are involved for non-company stakeholders.
Topic 5	Principle 16	Requirement 16.4	Revise the text to read similar to: "Design and implement plans that take an integrated approach to remediation, reclamation and the re-establishment of post-recovery land-uses informed by the input of affected people, which may include ecosystem restorations."
Topic 6	Principle 17	Requirement 17.1	The public release of highly technical data can be easy to misinterpret if the public doesn't have the background knowledge to understand it. Recommendations made in the Standard in relation to the release of data should focus on releasing data in a manner in which it can easily be understood by the public and relevant stakeholders. Concerns exist around confidentiality, access to company information by competitors, loss of trade secrets, etc. Recommend rewording this requirement to only disclose information to public at risk (in inundation zone) in the event a tailings facility failure were to occur.
Topic 6	Principle 17	Requirement 17.2	Remove "extent possible" and replace with "extent reasonably practicable".
Topic 6	Principle 17	Requirement 17.3	This requirement would be difficult to enforce or to even determine that all facilities are listed and reporting.
Topic 6	Principle 17	Footnote 36-37	Footnote 36 and 37 could be extremely onerous and cost prohibitive for the Owner. To compile and provide the specified information is time consuming and may require significant expenditure. Recommend removing "at no charge, as soon as possible" from these Footnotes and this Requirement. It may well be beneficial to provide this information, but the timing, and the cost, need to be considered which they don't appear to be in this standard.
Topic 6	Principle 17	Footnote 38	Footnote 38 should be incorporated into the main Principle. In some cases, the Owner only discloses small portions of what the Principle recommends.
Topic 6	Principle 17	General	For this Principle, these requests may be feasible for large operators that have existing groups dedicated to stakeholder and public relations. But the requests made in this Principle are overly excessive and demanding for small operators that don't have the dedicated resources for this Principle. Again, the Global Standard is not considerate of small operators and their more limited resources.
Annex 2 (Table 2)			Where do the external loading criteria come from? These are extremely strenuous criteria to meet and existing facilities have not been designed to these stringent criteria. Implementing this degree of a step change on existing facilities may mean large CAPEX investments to bring existing facilities up to this level and may bring into question the operational viability of the mine.