



2 January 2008



McArthur River Mine Independent Monitor Project Meeting Minutes.

Meeting no	Location	Meeting date
1	Department of Primary Industries Fisheries and Mines (DPIFM) Minerals & Energy, 4 th Floor, Paspalis Centrepoint Building, Darwin	3 December 2007

Attendance

Present	Apology	Copy	Name	Organisation	Title
✓		✓	Philip Mulvey	Environmental Earth Sciences (IM)	Senior Principal Scientist
✓		✓	Geordie McMillan	Environmental Earth Sciences (IM)	Senior Environmental Engineer
✓		✓	Eileen McGovern	DPIFM	MRM IM Project Manager (DPIFM) Team Leader – Mining Evaluations
✓		✓	Peter Zeroni	DPIFM	Acting Director Compliance Strategic & Policy Adviser
✓		✓	Cyrus Edwards	DPIFM	Senior Project Officer Mining Evaluations
✓		✓	Gillian Jan	DPIFM	Director Mining and Petroleum Authorisations & Evaluations
✓		✓	Richard Sellers	DPIFM	Executive Director Minerals & Energy
✓		✓	Warren Crabb	MRM (Xstrata Zinc)	Manager - Projects
✓		✓	Gary Taylor	MRM (Xstrata Zinc)	MRM Manager HS&E
✓		✓	Michael Lawton	NRETA	Director Environmental Management
	✓	✓	Brian Hearne	MRM (Xstrata Zinc)	MRM General Manager

Details

Action By/Date

1.0 Introduction

- Eileen McGovern (EM) opened meeting at 10:15, gave brief overview of agenda circulated on 30 November 2007.
- Philip Mulvey (PM) asked if attendees could introduce themselves, their affiliations, and their qualifications. Introductions made.



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2.0 Overview of IM Program (PM)

- Introduced concept of the Independent Monitor (IM) would be the same as an auditor.
- Will use the Victorian Environment Protection Agency (EPA) model for undertaking audits of 'Natural Resources' (Section 53V) for the McArthur River Mine (MRM) IM role. This system has wide acceptance by communities.
- Underlined that the role of the IM is not as a consultant, and is not to 'create solutions'. Role of the IM is to provide an expert overview of the systems and activities of MRM (and its consultants) and DPIFM with the intent of providing assurance to the project stakeholders and community that the activities undertaken by MRM are consistent with commitments and conditions in the associated Public Environment Report (PER), Environmental Impact Statement (EIS), the current Mining Management Plan (MMP) and other relevant legislation.
- What do we monitor?
 - Gillian Jan (GJ) asked for clarification that the monitoring period would be from October 13 2006 onwards (acceptance date of the MRM MMP for open-cut activities).
 - PM accepted this as initial phase.
 - IM to assess the matrix of commitments and responsibilities made by MRM (to be provided by MRM).
 - Provide community assurance that the operation is being independently assessed.
 - IM to also monitor previously identified issues. PM raised potential issue of anthropogenic acid sulfate soil. This will be addressed as part of the overall IM role.
- Why do we monitor?
 - Aim is to be 'pro-active' rather than 'reactive'.
 - EM clarified that role of IM is to monitor DPIFM and MRM monitoring programs, not undertake separate monitoring programs.
 - PM stated that part of the aim is to show the process of monitoring and monitor against the 'conceptual model' (i.e. the understanding of the mine, the surrounding environment, and their interaction), and to assess the adherence to and suitability of the monitoring and management conditions of the mine.
 - Monitoring is essential for community assurance. The role will include identifying areas of exposure or risk and determining whether there are any plans (including appropriate contingency measures) to address these. PM clarified this role to Gary Taylor (GT) and EM.

G Taylor 18/01/2008



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- PM asked group if they wanted the IM to address the contingency measures. Members of working group agreed that this should be part of IM role.
- Cyrus Edwards (CE) asked how the IM will address 'gaps'. PM said that IM will not tell DPIFM/MRM what to do but will highlight the issue only.
- Michael Lawton (ML) stated that he expected gap analysis and contingency plans will be 'de rigueur' as part of MMP.
- PM stated role of IM will be to assess the appropriateness of monitoring programs with respect to environmental commitments.
- EM asked if draft communications plan can be presented to working group. IM and working group agreed. To be developed by IM.
 - ML said framework for Alligator Rivers Region Technical Committee (ARRTC) works well and could be used as an example.
 - PM agreed but wants it simpler than ARRTC system. EM to provide ARRTC framework to IM.
- PM stated all relevant documents are required. Will need to address mechanism of document and data transmittal, including historic and baseline data where possible.
- PM responded to question about independence to MRM. Stated that IM has worked for Xstrata but not the Xstrata Zinc division (including MRM).
- PM reiterated that the role of the IM is not as the consultant and is not the regulator. Suggested a statutory framework be implemented for auditing mines.
 - ML stated that he manages NRETA contaminated sites division. Has no local set-up to accredit auditors and as such defaults to NSW/VIC audit process. Interested in Natural Resource audit system (Section 53V of Victorian EP Act) and will take it on board at NRETA. Stated NRETA is looking for transparency and increased communication in auditing.
 - ML suggested PM puts forward his bona fides and experience as an Auditor as it is important to inform the community of credentials and experience.

G McMillan
9/01/2008

E McGovern
9/01/2008

3.0 Overview of IM Program (PM)

- Overview of function of Authorisations & Evaluations (A&E). A&E comprises three areas: authorisations; environmental monitoring unit; and evaluations.



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- Authorisations is responsible for assessing new projects and referrals; maintaining a framework for assessing the required levels of mining rehabilitation securities; administration of mining regulations.
- Environmental monitoring unit undertakes sampling and monitoring at 'high risk' sites. Provides data to Evaluations.
- Evaluations assess technical rigour of data and reports provided by the operations, determine check monitoring requirements, and conducts broad-scale risk assessments of mines to determine priority for the check monitoring programs.
- Primary legislation implicated in the MRM IM project is EPBC Act 1999, Environmental Assessment Act, Mining Management Act, MRM Ratification Act.
 - Main act will be Mining Management Act. This is co-regulatory and applies to all mining activities which create a substantial disturbance.
- Expect MRM/operator to adhere to MMP, provide details pertaining to closure planning, OH&S and environmental systems, and financial security.
- DPIFM uses 'TRIM' system for overall record management and Access Oracle database for recording statutory information. 'SLOG' database system used for water monitoring results.
- PM asked if DPIFM data should be integrated with the IM role. CE/GJ agreed.
- CE stated Environmental Monitoring Unit (EMU) undertake water quality monitoring twice annually (May/November) at McArthur River.
 - PM said IM would like to join EMU during one of these rounds as part of the role. CE said IM would be welcome to do this.
- PZ stated necessity to work out timing of submission of MMP. CE stated that an annual environmental monitoring report is submitted to DPIFM as the 'back end' of the MMP.
- PZ overview on Compliance Division of DPIFM.
 - Review operations under the MMA.
 - Audit high risk and major operations in the Northern Territory.
 - Use/share systems for Authorisation & Evaluations.
 - Reporting of environmental and safety incidents to Compliance Division.
 - Issues identified can be captured in next years MMP.



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- GJ iterated that review role of IM is to start from MMP dated October 13 2006. Next MMP being prepared by MRM, submitted to DPIFM soon. B Hearne sent
4/12/2007
- PM gave Richard Sellers (RS) brief overview of his presentation (not present earlier).
- PM stated that IM and working group will need to sort out the process of MRM compliance with DPIFM conditions and commitments. IM 16/01/2008
G Taylor 18/01/2008
- Look at what classes of documents to be reviewed as part of IM role:
 - Documents from MRM to DPIFM;
 - Documents that MRM do not give to DPIFM but DPIFM can ask for; and
 - MRM process related documents that are not provided to DPIFM.
- Warren Crabb (WC) stated currently several types of documents: those currently in the public domain and freely available (i.e. PER, EIS, etc); those available under a Fol request (i.e. edited MMP); those that are 'commercial-in-confidence' between MRM and DPIFM; and those that are held by MRM and not provided to DPIFM.
- PM stated that when writing an audit or monitoring report that a list of all documents reviewed is listed. Asked if MRM is comfortable with IM listing 'commercial-in-confidence' documents in reports.
- WC/GT stated no issue with referencing these documents. PM confirmed that IM would not release any information or documents without permission of MRM/DPIFM.

4.0 Overview of McArthur River mine operation (GT)

- GT provided overhead Powerpoint presentation. Copy provided to DPIFM & IM. IM to upload PDF
version to website
7/01/2008
- RS asked when 'sawfish report' was submitted. WC stated report submitted to federal government agency in May/June 2006.
- Working group confirmed that IM role does not include biodiversity off-set areas.

5.0 Actions

- Communications protocol. IM 9/01/2008
 - IM to establish draft communications plan for comment.
 - IM to liaise directly with MRM and copy in DPIFM (CE, EM, PZ & GJ) on all correspondence.



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- PM asked what does the group want in an audit report? Confirmation that a report for the community and a separate technical report will be produced and available to view on the website.
 - Website to be “one-way” with contact details for MRM, DPIFM and IM available. Website active 20/12/2007
 - In audit report, a register of all correspondence will be provided as an appendix and only copies of correspondence relating to substantive and compliance issues will be provided.
 - All parties are to be copied into correspondence pertaining to data/document requests.
 - IM to set-up classes of documents depending on their distribution. G McMillan 16/02/2008
 - If external stakeholders have questions for the IM, first point of contact will be EM, then GT, and PM as last resort.
 - PM/IM to present outline of risk assessment process.
 - Draft timeline. IM to modify 2008 Gantt chart based on following:
 - Community engagement plan (CEP) – IM to produce draft. IM 31/01/2008
 - Draft website – IM to post. IM posted 20/12/2007
- 2006/2007 Monitoring Period
- January/February – GM to compile documents, data in Darwin. G McMillan 16/02/2008
 - Early-mid February – IM to visit mine site, community introduction. IM 19/02/2008
 - February – DPIFM provide comment on 2007 annual environment report (AER) within MMP. IM 09/03/2008
 - 1 May – IM to provide format layout copies of technical and community reports to working group for comment. IM 01/05/2008
 - Early-mid May – DPIFM EMU sampling event at mine. IM to participate. Consultation with the community to elucidate their issues and ensure that these issues are addressed in the report. IM, MRM, DPIFM – 08/05/2008
 - June – IM to finalise and submit technical and community report to the Minister. IM – 15/06/2008
 - Late June – Minister’s 14 day review period. Issue of report with amendments to DPIFM/MRM. IM - 29/06/2008
 - Late July – DPIFM/MRM 28 day review period. DPIFM/MRM – 27/07/2008
 - Mid-end August – Release report to public and undertake community presentation. IM – 22/08/2008



Details

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Process commences again for 2008 monitoring period

- August/September – DPIFM annual compliance audit for 2008 is released.
- Late October – MMP submission by MRM.
- Late November – AER submission by MRM.

DPIFM 14/09/2008

MRM 26/10/2008

MRM 30/11/2008

Meeting finished at 4:00 PM.

On behalf of

The McArthur River Mine Independent Monitor

Project Manager

Geordie McMillan
Senior Environmental Engineer
Environmental Earth Sciences VIC

Project Director / Internal Reviewer

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