

28 Reporting

28.1 Introduction

The Proponent will initiate a program of reporting to support the environmental assessment (EA) for the KSM Project (the Project) which will be carried out over the life of mine. Activities undertaken by the Proponent beginning in pre-construction, and continuing throughout construction, operation, closure, and post-closure phases will be subject to various types of reporting. Reporting activities will address general legal requirements as prescribed under various statutes, and will also include more specific compliance reporting required under provincial and federal authorizations. Reporting associated with Follow-Up Programs to support the federal EA Decision Statement under the *Canadian Environmental Assessment Act* (1992) is included. Although some elements of the Application for an Environmental Assessment Certificate/Environmental Impact Statement (Application/EIS), for example, the Glacier Monitoring Plan, carry no legal obligations for reporting, supplemental voluntary reporting may be undertaken to support further understanding of changing environmental conditions in the Project area. Voluntary reporting will be carried out at the Proponent's discretion, following discussion with relevant government agencies (e.g., the British Columbia Environmental Assessment Office [BC EAO] and the Canadian Environmental Assessment Agency [CEA Agency]) to ensure the obligations in the Application/EIS are satisfied.

28.2 Compliance Reporting Requirements

The Proponent will apply for and obtain necessary authorizations for Project activities and components as required under federal and provincial legislation. The Proponent will maintain required permits for the life of the Project and will comply with:

- the provisions of federal and provincial legislation and regulations; and
- the conditions of certificates, decision statements, permits, licences, and other authorizations.

A preliminary list of the main reporting requirements is provided in Table 28.2-1. The Proponent will update this list as further reporting requirements are identified by provincial and federal agencies as the permitting of the Project evolves. Final reporting commitments will be developed in consultation with appropriate regulatory authorities.

28.3 Voluntary Reporting

Listed below are the Environmental Management Plans (EMPs) that are not referenced within provincial or federal statutes, or contained within authorizations. These EMPs describe monitoring activities that may help the Proponent to manage the Project more effectively in reducing environmental effects (e.g., best management practices). However, as there is no legal basis to require reports for these EMPs, reporting is voluntary. Voluntary reporting is described within each of the EMPs, which are the following:

- Glacier Monitoring Plan (Chapter 26.16);
- Vegetation Clearing Management Plan (Chapter 26.20.1);
- Transmission Line Management Plan (Chapter 26.20.3);

- Terrestrial Plant Tissue Metal Concentrations Monitoring Plan (Chapter 26.20.4);
- Noise Management Plan (Chapter 26.21);
- Visual Quality Management Plan (26.24); and
- Traffic and Access Management Plan (Chapter 26.25).

28.4 Reporting Responsibility

Reporting responsibilities as described above will be managed by the Proponent's Environmental Superintendents who will oversee internal and third party reporting duties (for further details of the KSM Project Report Structure, please refer to Chapter 26, Section 26.1.5). Environmental Coordinators will be responsible for tracking and reporting on the permit obligations and Application/EIS commitments for the KSM Project. Environmental Coordinators report to the Environmental Superintendents, as shown in Figure 28.4-1.

The Environmental Coordinators will:

- have the authority to shut down specific activities if there is non-compliance and/or an infraction, until that non-compliance and/or infraction is rectified;
- report incidents to the Environmental Superintendents, including all non-compliances and/or infractions;
- liaise with the Project Manager to ensure that permit requirements, commitments, regulations, and Acts are understood at the field level and managed appropriately for the construction, operation, and closure of the KSM Project;
 - ensure that wildlife and wildlife habitat regulations are being undertaken ahead of construction disturbance to meet regulatory compliance;
 - ensure that blasted rock samples along the Coulter Creek and Treaty Creek Access Corridors are collected for on-site laboratory analysis. Maintain a database of rock disposal locations, analytical results, and mitigation strategies for metal leaching/acid rock drainage for non-deposit rock;
 - advise workers in the use of best management practices, Fisheries and Oceans Canada Operational Statements, and Erosion and Sediment Control Plans as training and on-site reference tools;
 - act as resources to the construction teams by providing guidance relating to permit conditions, commitments, regulations, Acts, and interpretation of legislation; and
 - act as resources to the construction teams by providing guidance relating to permit conditions, commitments, regulations, Acts, and interpretation of legislation; and

The KSM Project must operate in compliance with all applicable health, safety, and environmental statutes; regulations; and permit conditions. Paramount among these responsibilities is the protection of worker safety. Meeting these responsibilities also address concerns such as the potential release of contaminants and waste products to the air, water and soil; fish, wildlife, and habitat; threatened and endangered species; and the protection of cultural sites.

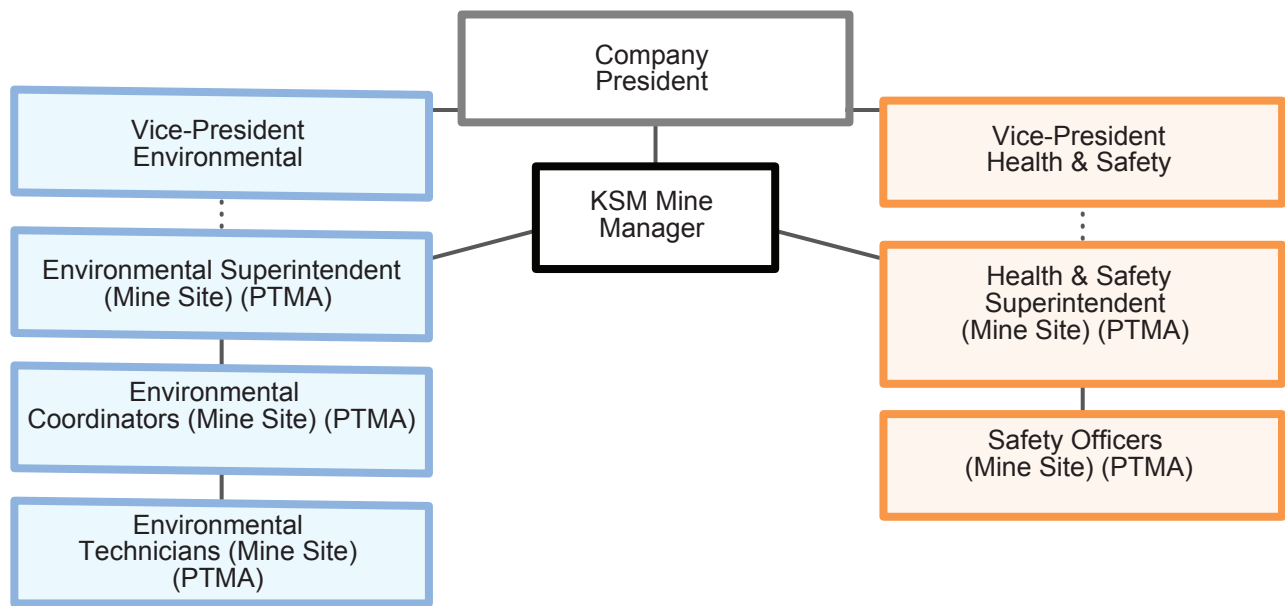
Table 28.2-1. Statutory Reporting Requirements for the KSM Project

Legislation	Responsible Agency	Permit/ Authorization/ Program	Anticipated Compliance Reporting Requirements	Required Environmental Management Plan (if applicable)
BC <i>Environmental Assessment Act</i> (2002)	BC EAO	EA Certificate	Submission of reports as required in the EA Certificate, Schedule B Table of Conditions	As listed in Schedule B of the EA Certificate
<i>Mines Act</i> (1996)	BC Ministry of Energy, Mines and Natural Gas	<i>Mines Act</i> Permit; <i>Health, Safety and Reclamation Code for Mines in British Columbia</i> (the Code; BC MEMPR 2008)	By January 31 of each year, deliver to the Chief Inspector a report for the previous calendar year outlining workplace conditions as per Section 1.9.3 of the Code	26.6: Domestic and Industrial Waste Management Plan 26.7: Dangerous Goods and Hazardous Materials Management Plan 26.9: Emergency Response Plan 26.10: Spill Prevention and Emergency Response Plan
			Establish a written program (as per Section 2.1.3 of the Code) to monitor workplace contaminants to ensure employees shall not be exposed to airborne concentrations of chemical agents or noise in excess of the levels specified in Section 2.1.1 of the Code.	26.6: Domestic and Industrial Waste Management Plan
			Notify the Chief Inspector and provide a report in the event of an accident or dangerous occurrence, as laid out in Section 1.7 of the Code	26.6: Domestic and Industrial Waste Management Plan 26.7: Dangerous Goods and Hazardous Materials Management Plan 26.9: Emergency Response Plan 26.10: Spill Prevention and Emergency Response Plan
			Develop and file with the Chief Inspector, a Mine Emergency Response Plan, which shall be kept up to date as per Section 3.7.1 of the Code	26.9: Emergency Response Plan
			A Construction Management Plan must be developed and submitted prior to the start of construction, relevant to the planned construction activities	26.2 Construction Management Plan
			As specified in Section 10.1.4(5) of the Code, submit an annual report of reclamation and environmental monitoring work performed under Section 10.1.4(4)	27: Closure and Reclamation Plan
			Upon closure or declared closure of a major impoundment, submit a report to the Chief Inspector in accordance with Section 10.6.10 of the Code	
			Soil monitoring data will be submitted as part of the Annual Reclamation Plan, specifying the sampling parameters and performance criteria to evaluate the success of reclamation	26.13.1: Soil Salvage and Handling Plan 26.13.3 Soil Contamination Prevention Plan 26.13.2 Erosion Control Plan
			Prior to operation of each tailing or water management facility, submit an "as-built" report to the Chief Inspector certifying that the facility was designed and constructed according to Section 10.1.5 of the Code	26.4: Tailing Management Facility Management and Monitoring Plan 26.5: Water Storage Facility Management and Monitoring Plan
			For each major dam or major impoundment, develop and implement an Operation, Maintenance and Surveillance manual prior to commissioning and submit a copy to the Inspector as per Section 10.5.2 of the Code	
			Submit an annual dam safety inspection report on the Operation, Maintenance and Surveillance of the tailing and water management facilities and associated dams to the Chief Inspector (Section 10.5.3 of the Code)	
			Comprehensive dam safety reviews: <ul style="list-style-type: none"> • every 5 years for Extreme and Very High consequence dams • every 7 years for High consequence dams • every 10 years for Significant consequence dams 	
			Annual report on the performance of high risk RSFs	26.3: Rock Storage Facility Management and Monitoring Plan
			An Explosive Management Plan must be submitted for review and approval prior to any blasting being conducted.	26.8: Explosives Management Plan
			Results of the ML/ARD analytical testwork (including raw data, sample descriptions, QA/QC and deposition inventory) shall be reported in the Annual Reclamation report	26.14: Metal Leaching and Acid Rock Drainage Management Plan
Monitoring results of water quality and quantity, including interpretation of the results and any implications for management, shall be reported in the Annual Reclamation Report	26.15: Groundwater Management Plan 26.17: Water Management Plan			
A plan for the control of weeds shall be submitted in the Annual Reclamation Report	26.20.2: Invasive Plant Management Plan			

(continued)

Table 28.2-1. Statutory Reporting Requirements for the KSM Project (completed)

Legislation	Responsible Agency	Permit/ Authorization/ Program	Anticipated Compliance Reporting Requirements	Required Environmental Management Plan (if applicable)
<i>Canadian Environmental Protection Act (1992)</i>	Environment Canada	National Pollutant Release Inventory (NPRI; Environment Canada 2013)	For those calendar years that the proposed Project meets the NPRI reporting requirements (as per the NPRI Notice published in the Canada Gazette): create, certify, and submit an NPRI inventory report by June 1 (or whichever deadline the Notice states) the following year	26.11: Air Quality Management Plan
		Greenhouse Gas (GHG) Emissions Reporting Program; Ozone-depleting Substances Regulations (SOR/99-7)	For those calendar years that the proposed Project meets the GHG emissions mandatory reporting criteria specified in the annual notice published in the Canada Gazette: prepare and submit a GHG emissions report by June 1 (or whichever deadline the Notice states) the following year	26.12: Greenhouse Gas Management Plan
		Environmental Emergency Regulations (SOR/2003-307)	A report on the release of a substance listed in the Environmental Emergency Regulations (SOR/2003-307), detailing the substance and the company's response to the release	26.10: Spill Prevention and Emergency Response Plan 26.7: Dangerous Goods and Hazardous Materials Management Plan
<i>Fisheries Act (1985)</i>	Environment Canada	Metal Mining Effluent Regulation (MMER; SOR/2002-222), sections 21 to 24; Schedule 5 sections 8, 14, 17, 19, 21, 23, and 25	Once the Project becomes subject to Section 7 of the MMER, complete quarterly monitoring of effluent characterization, acute toxicity testing, and water quality, with quarterly and annual summary reports	26.17: Water Management Plan 26.18.2: Aquatic Effects Monitoring Plan
			Complete and report on effluent characterization, water quality monitoring, and sublethal toxicity testing in annual reports	26.17: Water Management Plan 26.18.2: Aquatic Effects Monitoring Plan
			Reports every 36 or 72 months on biological monitoring study (water quality, sediment, benthos, and fish) designs and study results.	26.10: Spill Prevention and Emergency Response Plan
			Develop Emergency Response Plan – for unplanned release of deleterious substances	
	Metal Mining Effluent Regulation (MMER; SOR/2002-222), Section 30	Annual reporting	26.18.1 Fish and Aquatic Habitat Effects Protection and Mitigation Plan Appendix 15-Q: MMER Fish Habitat Compensation Plan Appendix 15-R: HADD Fish Habitat Compensation Plan	
Fisheries and Oceans Canada	Section 35(2) authorization	One report during construction prior to disturbance Monitoring reports related to fish habitat compensation activities	26.18.3 Fish Salvage Plan Appendix 15-R: HADD Fish Habitat Compensation Plan	
<i>Canadian Environmental Assessment Act (1992)</i>	CEA Agency Fisheries and Oceans Canada	EA Decision Statement	Follow-Up program reporting related to fish habitat compensation	26.18.1 Fish and Aquatic Habitat Effects Protection and Mitigation Plan Appendix 15-Q: MMER Fish Habitat Compensation Plan Appendix 15-R: HADD Fish Habitat Compensation Plan
<i>Canadian Environmental Assessment Act (1992)</i>	CEA Agency Environment Canada - CWS	EA Decision Statement	Follow-Up program reporting related to wetland compensation	Appendix 16-B: Wetland Habitat Compensation Plan
			Follow-Up program reporting related to wildlife (mountain goats, moose, grizzly bear, wetland bird species)	26.21.1 Wildlife and Wildlife Habitat Management Plan 26.21.2 Ungulate Winter Range Management Plan 26.21.3 Wildlife Effects Monitoring Plan
	CEA Agency Natural Resources Canada		Follow-Up program reporting related to groundwater quantity and geohazards	26.15: Groundwater Management Plan
<i>Environmental Management Act (2003)</i>	BC Ministry of Environment	<i>Waste Discharge Regulation</i> (BC Reg. 320/2004; refuse, air, effluent permits)	Annual assessment report and monthly dustfall reporting Records of quantities of water used in dust suppression will be submitted	26.11: Air Quality Management Plan
			A Construction Management Plan will be developed, submitted for approval, and implemented	26.2: Construction Management Plan
			Annual summary report which includes the previous calendar year sampling results	26.17: Water Management Plan 26.18.2: Aquatic Effects Monitoring Plan
			A groundwater management plan will be developed, submitted for approval, and implemented	26.15: Groundwater Management Plan
			An erosion control plan will be developed, submitted for approval, and implemented	26.13.2 Erosion Control Plan
			Non Compliance Reporting as incidents occur	Under waste discharge permits
<i>Heritage Conservation Act (1996)</i>	BC Ministry of Forests, Lands and Natural Resource Operations	Permit	Reporting to Archaeology Branch and application for a Section 12 Site Alteration Permit if the heritage site may be affected by the Project	26.23: Heritage Management and Monitoring Plan
<i>Weed Control Act (1996)</i>	Ministry of Agriculture	<i>Weed Control Regulation</i> (BC Reg. 66/85)	Inspection reports as required	26.20.2: Invasive Plant Management Plan



28.5 Notification

The Proponent shall provide relevant government agencies with copies of all reports and plans as described above. The format, content, and frequency of reporting will take place as discussed and agreed to by the appropriate parties.

References

1985. *Fisheries Act*, RSC. C. F-14.
1992. *Canadian Environmental Assessment Act*, SC. C. 37.
1992. *Canadian Environmental Protection Act*, SC. C. 33.
1996. *Heritage Conservation Act*, RSBC. C. 187.
1996. *Mines Act*, RSBC. C. 293.
1996. *Weed Control Act*, RSBC. C.487
2002. *Environmental Assessment Act*, SBC. C. 43
2003. *Environmental Management Act*, SBC. C. 53
- Environmental Emergency Regulations, SOR/2003-307.
- Metal Mining Effluent Regulations, SOR/2002-222.
- Ozone-depleting Substances Regulations, SOR/99-7
- Waste Discharge Regulation*, BC Reg. 320/2004.
- Weed Control Regulation*, BC Reg. 66/85.
- BC MEMPR. 2008. *Health, Safety, and Reclamation Code for Mines in British Columbia*. British Columbia Ministry of Energy, Mines, and Petroleum Resources, Mining and Minerals Division. <http://www.empr.gov.bc.ca/Mining/HealthandSafety/Documents/HSRC2008.pdf> (accessed November 2010).
- Environment Canada. 2013. *National Pollutant Release Inventory*. <http://www.ec.gc.ca/inrp-npri/default.asp?lang=En&n=4A577BB9-1> (accessed July 2013).