



# GBA TAILINGS EOR TASK FORCE

## MEETING MINUTES

TELECON

THURSDAY, MAY 12, 2016 (2 P.M. MT)

### ***Meeting participants:***

**Chair:** Kim Morrison (Morrison Geotechnical Solutions, Inc.)

**Vice-Chairs:** John Baker (BGC Engineering, Inc.) & Chris Hatton (Haley & Aldrich, Inc.)

**Members:** Bob Snow (D'Appolonia); Keith Mobley (Northern Geotechnical Engineering – Terra Firma Testing); Mike Rowland (SME, Inc.); Gordan Gjerapic (Golder Associates, Inc.)

- Introductions (All)
- Purpose of Task Force and Goals:
  - Brain-stormed on a potential mission statement for the group.
  - Mission Statement – Raise awareness among GBA member firms who perform tailings storage facility design services of the concerns and issues related to Engineer of Record (EOR) for these ever-changing facilities; outreach to industry, other organizations, and regulatory agencies, as appropriate, for feedback on the issues; and develop internal and outreach documentation on the issue, including defining roles/responsibilities of the EOR, and implementation of a transfer process for EOR for tailings management facilities.
  - *ACTION – All members please comment/revise/edit proposed Mission Statement so that we can finalize on our next call.*
- Old Business / Status Updates:
  - Discussed potential involvement of regulatory agencies on the task force:
    - In the US, tailings storage facilities are typically regulated by state agencies for most commodities (excluding uranium, which is generally federally-regulated). Given the range of agencies involved, the Task Force considered it would be difficult to obtain reasonable engagement, and decided not to pursue further. However, regulatory guidance put forth should be consulted, as appropriate.
  - Discussed potential involvement of industry members on the task force:
    - We discussed the value of having industry members participate on the task force.

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- Kim Morrison contacted Rachel Mudd Garrett (Southern Company), as requested by Rick Mudd, a member of the GBC. She has agreed to participate, as available.
- John Baker contacted Todd Martin (AngloAmerican) to see if he would be willing to participate. Todd indicated that he does not have availability to participate in force, but is willing to be engaged on occasion for feedback and opinion.
- Chris Hatton contacted Tamara Johndrow (Freeport-McMoRan) about participation. She was not willing to participate at this time, but indicated that Freeport is internally putting together their own document on the topic.
- *ACTION – Chris Hatton to contact the following to see if they are willing to participate on the task force: Mike Davies (Teck); Imran Gillani (Rio Tinto); and Bryan Garrity (Freeport-McMoRan).*
- As a follow up to the last call, we discussed the possibility of developing case studies on the issue:
  - Case study document on EOR issues surrounding tailings failures (e.g., coal ash facilities) – Bob Snow spoke to TVA about the Kingston facility, and they are not interested at this time. Bob will ask them again in the future, and will highlight the generic nature of the case study (i.e., no names).
  - Discussed possibility of case studies that do not involve a tailings dam failure, but provide other discussion, such as ramifications of hand-over between EORs for a project (e.g., Chris Hatton case study on a successful EOR hand-over). Instead of a stand-alone case study, decided it may be best to include a summary of this case within a Best Practices document.
- Update on what other organizations are up to with regard to EOR issue (BC Ministry of Mines, ASDSO, ICOLD, CDA)
  - No updates were provided at the time, just restated the work that CDA has been doing.
  - *ACTION – Kim Morrison to provide a DropBox link to recent CDA documents to the team.*
- GBA Business Brief
  - Kim Morrison developed a preliminary draft of a GBA Business Brief and e-mailed the document to select team members for review/comment/edit.
  - *ACTION – Kim Morrison to send document to Mike Rowland as a reviewer.*
  - *ACTION – Reviewers to provide feedback to Kim Morrison by Friday, May 20<sup>th</sup>.*
- New Business / Other Discussion:
  - Discussed insurance issues for companies that design tailings management facilities. Kim Morrison shared story of her recent experience in being denied CGL coverage due to percentage of geotechnical engineering work for mining clients that involve tailings.
  - Bob Snow mentioned that, in Pennsylvania, the mining industry has to demonstrate financial assurance for high hazard facilities, such as tailings dams, and the cost would be based on a breach of the structure. Mining companies argue that the reclamation bond should cover this, but it is currently a point of contention with the regulators.
  - Mike Rowland mentioned that, on a federal level, the EPA is considering requiring financial assurances for mining activities, above and beyond those financial assurances already required for reclamation at the state level. He indicated that industry fears that costs will be exorbitant, making it prohibitive to obtain insurance. A House of Representatives Natural Resources Committee hearing is planned on May 25<sup>th</sup> specific

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to reclamation in the mining industry. *ACTION – Mike Rowland to share information on the hearing.*

- Meeting Adjournment and Schedule:
  - Next meeting is scheduled for Friday, June 17<sup>th</sup> at 9 a.m. MT.