

**EARTHWORKS comments on
GRI Mining and Metals supplement (Version 6.0 of 12 January 2009)
April, 2009**

General comments:

- 1) We recommend that reporting should be done in any non-English languages spoken at project sites in addition to English.
- 2) We recommend the GRI standards for mining and metals cover the exploration, development and closure stages of mining operations as well as active mining;
- 3) We strongly recommend that reporting under GRI guidelines occur at a minesite level and not just as an aggregate by company. For mining and metals sector reporting to be relevant and useful it must occur at the individual facility level, as impacts occur at local and regional level and not as an aggregate.
- 4) Require baseline data: In order to truly judge the impacts of a mining operation, baseline data regarding the state of the locale prior to the mine must be collected and reported.
- 5) Reporting should include all subsidiary corporations and facilities in which parent company has ownership stake.

References should include Framework for Responsible Mining
<http://www.frameworkforresponsiblemining.org/>

Indicator Protocols

EC1 (p.25). Economic value generated and distributed.

This must include all site-specific data for individual mine sites, specifically for direct economic value generated (from individual mines), and economic value distributed (to areas around individual mines, particularly for local employee wages and benefits, for payments to local governments, and for community investments). Payments to governments should include any royalty payments. Community investments should include non-voluntary, i.e. contractual, investments made by the company through community agreements.

EC7 (p.28). Local hiring

This must include all hiring for individual mine sites. "Local" should refer to specific mine sites and the surrounding areas.

EN2 (p.29). Recycled input materials

This must be reported for individual operation sites

EN12 (p.30). Biodiversity impacts

Reporting should be project site-specific. Reporting should include information on the collection of baseline data on biodiversity in and around the project prior to activities beginning, and the type and effort of surveys undertaken (including the use or not of species accumulation curves). 2.2 should include impacts from power generating and delivery infrastructure, should define pollution with reference to measured baseline conditions for potential pollutants, and should include impacts on biodiversity from hunting/fishing and selective harvest by workers or community members affected by the project. 2.3 should include noting all operations occurring directly in a protected area or protected area buffer

zone and the type of protected area involved; include noting all protected areas potentially affected by operations; and include measured and projected population impacts for any species occurring in baseline surveys that are listed as Critically Endangered, Endangered, or Vulnerable on the IUCN Red List. 3. should provide a definition of “areas of high biodiversity value” as any areas of natural habitat in zones of high biodiversity such as Global 200 Ecosystems listed as Critical or Endangered (WWF), Biodiversity Hotspots and Wilderness Areas (Conservation International), or Endemic Bird Areas (BirdLife International); and a definition of “protected area” as any area established at least in part for environmental conservation purposes by a local, regional, or national government, any I-VI designated protected area by IUCN, or any area internationally recognized as a World Heritage, Ramsar, or UNESCO Man and the Biosphere site.

EN13 (p.32). Habitats protected or restored

Reporting should be project site-specific. Reporting should include information on collection of baseline data on habitat condition prior to activities beginning. Reporting should indicate success of restoration relative to baseline conditions. Biodiversity offset reporting should indicate if offsets were proposed before governmental and community project approval or after such approval.

EN14 (p.34). Biodiversity impacts management

Reporting should be project site-specific. Adherence to the mitigation hierarchy should be reported.

MM1 (p. 36). Amount of land disturbed or rehabilitated

Reporting should be project site-specific. 2.4 should include reporting on land condition relative to the agreed upon end-use, including what the end use is, and relative to what the original (baseline) land use conditions based on factors including vegetation composition and cover and soil condition.

MM2 (p. 38). Sites requiring biodiversity management plans

2.2. Criteria should include, in addition to “Iconic species or red listed species,” high species richness, presence of species of limited extent of occurrence, zones considered a priority based on regional biodiversity and Strategic Impact Analyses, or zones of natural habitat in Global 200 Ecosystems listed as Critical or Endangered (WWF), Biodiversity Hotspots and Wilderness Areas (Conservation International), or Endemic Bird Areas (BirdLife International)

EN20 (p.40). NO_x, SO_x, and other significant air emissions by type and weight.

Reporting should be project site-specific. Reporting should include electricity-generating facilities constructed by or at least partially used by the operation. 2.2. should include reporting of frequency of measurements. 2.3 should include toxic emissions including mercury and emissions required to be reported under the regulations of the country of operation and those required to be reported under the regulations of the country of origin of the company. 2.3 should include greenhouse gases, including carbon dioxide, not currently listed. It should also include dust under particulate matter.

EN22 (p.42). Weight of waste by type and disposal method

Reporting should be project site-specific.

EN23 (p.44). Number and volume of significant spills

Reporting should be project site-specific. Reporting should include spills required to be reported under the regulations of the country of operation and those required to be reported under the regulations of the country of origin of the company. Reporting should include occurrence and frequency of monitoring in potential spill/discharge zones for pH, total solids and turbidity, and chemicals and metals including arsenic, antimony, barium, beryllium, cadmium, chromium, cobalt, copper, iron, lead, manganese, mercury, molybdenum, nickel, selenium, silver, strontium, thallium, uranium, zinc, cyanide, chlorine, ammonia, and nitrates/nitrites. 2.3 should require reporting of information for all significant spills and reporting of chemical content of spills of wastes and spills of chemicals. In 3., the definition of significant spill should include spills required to be reported under the regulations of the country of operation and those required to be reported under the regulations of the country of origin of the company. List and describe public health emergencies, accidents, and spills resulting from any stage of operations, including transportation, waste management, and closure.

MM3 (p.46). Overburden, rock, tailings, mine wastes and sludges presenting potential hazards

Reporting should be project site-specific. Require reporting on wastes, including waste rock, with the potential to generate acid drainage. This should include waste containing toxins including at least those listed under the US EPA Toxic Release Inventory of 2009 (e.g. mercury, lead, cyanide compounds) and at least those controlled or required to be reported under the regulations of the country of operation and those required to be reported under the regulations of the country of origin of the company (not just those required by site regulation and those suggested for reporting by a risk assessment). Each site must report on a yearly basis the quantities of toxins released to air, soil and water, the amount of said toxins captured in pollution control systems and information about the ultimate fate of these emissions, including but not limited to, on site storage (including location), offsite disposal or sale. Tailings disposal method should be reported, including if any disposal to natural water bodies occurs (and the type of water body and method of disposal in such cases).

MM4 (p.47). Strikes and lock-outs exceeding one week

Reporting should be project site-specific and include any strikes or lock-outs lasting one day or more.

LA7 (p.48). Rates of injury, occupational diseases, etc.

Reporting should be project site-specific.

HR5 (p.51). Operations where freedom of association may be at significant risk

Reporting should be project site-specific.

MM5 (p.53). Indigenous Peoples' territories

Reporting should be project site-specific. 2.4 should require reporting on site coverage by each of the following: formal benefit agreements; free, prior, and informed consent agreements (and measure of consent used); and community development plans. 3. should include the following definition of "community consent": a decision, resolution, or agreement reached by the members of an affected community, consistent with decision making processes acceptable to the local community and free from external interference, to allow or disallow an operation to proceed with its proposed plans as presented to the affected community. The process will vary in different communities, but may be expressed through referendum, freely-chosen

representatives, or customary or other traditional institutions.

S01 (p.55). Programs & practices that assess and manage impacts of on communities

Reporting should be project site-specific. This should require reporting on site coverage by each of the following: formal benefit agreements; free, prior, and informed consent agreements (and measure of consent used); and community development plans.

MM6A (p.58). Number and description of significant disputes with communities

Reporting should be project site-specific.

MM6B (p.60). Extent of use of grievance mechanisms

Reporting should be project site-specific.

MM7 (p.61). ASM occurrence and management

2.3 should include reporting on any measures to reduce mercury use and mercury release by ASM miners, and use of grievance mechanisms with ASM miners.

MM8 (p.62). Resettlement occurrence and livelihood impact

Companies should report the number of relocated households with and the number without relocation consent agreements for each operation site. In 2.2, number or estimated number of individual people must also be reported.

MM9 (p.63). Number and percentage of operations with closure plans.

Companies should report for each operation the amount and type of financial surety intended for reclamation and post-closure monitoring and maintenance, including long-term water treatment if required. Closure plans should include a) the reclamation standards and acid precipitation models used to derive the amount necessary for the financial surety; b) amount and type of financial surety for post mine-closure monitoring and maintenance, including long term water treatment if required; c) social, environmental and economic aspects of closure, including the decision-making process for various options, and d) workforce retraining and transition plans.

MM10 (p.64). Significant incidents with grievance mechanisms invoked

Reporting should be project site-specific.

MM11 (p.65). Incidents in which emergency preparedness was activated

Reporting should be project site-specific. Report on the health and safety and environmental outcomes of the implemented emergency preparedness procedures.

Describe emergency management plans and accident prevention and management plans, covering workers' health and safety, public/community health, water and soil quality, and ecosystem health.

S08 (p.66). Fines and sanctions for non-compliance with laws

Reporting should be project site-specific. 2.5 should include reporting a summary of judgments made against the organization in areas related to environment laws as well as health and safety and labor laws.

MM12 (p.68). Programmes and progress relating to materials stewardship.

2.1. Document and report on specific recycling targets for metals, producer responsibility commitments, establish targets for closed-loop system for wastes within facilities.