

Chair & CEO  
Excellon Resources  
Suite 900 - 20 Victoria Street  
Toronto, On M5c 2n8  
Canada

24 July 2019

Dear Chair & CEO,

**Re: Urgent request for information concerning tailings dam management**

We write on behalf of 105 investors in the mining sector, who together represent over USD\$12 trillion in assets under management. This urgent engagement is being led by the Church of England Pensions Board and Swedish Council on Ethics for the AP Funds and backed by the UN-supported Principles for Responsible Investment (PRI).

The tragic loss of life from the Brumadinho and Samarco catastrophic tailings dam failures highlighted the devastating consequences when something goes wrong.

As responsible investors, we are committed to working with the mining sector to ensure that verifiable best practice standards are developed, implemented and maintained. To enable proper engagement on tailings dam management we need to assess the risks and the current state of tailings dam facilities that individual mining companies are associated with and/or have responsibility for, whether under construction, operation or retired/decommissioned.

**Disclosure Request:**

As institutional investors in the mining industry and in the absence of common public reporting standards on tailings storage facilities we respectfully request that you provide specific disclosures of all the tailings facilities of your company, as set out below. We ask that you provide this information, in accordance with the disclosure request included below (Annex 2), in table format. This disclosure should also include:

- All tailings facilities where the company has any interest, through subsidiaries, partnerships, joint ventures both incorporated and unincorporated and any other enterprises of whatever legal form.
- All joint venture partners reporting on jointly owned facilities, even if you are not the operating partner (“NOJV’s”), should use the same facility name/identifier in the disclosure statement.

**Given the urgency and magnitude of this issue, we request that the public disclosure of this information, certified by either the Chairperson of the Board of Directors and/or the Chief Executive Officer\*, be placed on your company website within one month of the date of this letter. We have developed a public investor register of the companies that have fulfilled the disclosure request which can be found [here](#).**

Once your disclosure is complete please can you confirm this by emailing [emily.richards@churchofengland.org](mailto:emily.richards@churchofengland.org), providing the details of a contact person for future correspondence.

**This disclosure is urgent and essential for investors to be able to understand how your company manages tailings facilities and any associated risks. If you are unable to answer a question, or do not have the requested information, please explain why this is the case and what action the company is taking to address this.**

We strongly recommend that your disclosure is accompanied by plans to communicate directly with communities that may be affected by your tailings footprint.

This request follows a public call by investors for an independent tailings classification and monitoring system. This standard is now being developed by Professor Bruno Oberle as part of his independent review of tailings. We are the investor co-convenors of that review with the International Council on Mining & Metals (ICMM) and the United Nations Environment Programme.

We acknowledge and are fully aware that good practice in tailings management exists, but it is of critical importance that this can be transparently verified for all mining companies.

We look forward to receiving your response and to working with the industry to support best practice in governance and tailings management. If you have any questions, please contact Emily Richards at: [emily.richards@churchofengland.org](mailto:emily.richards@churchofengland.org). We have also set up a webpage at: <https://www.churchofengland.org/investor-mining-tailings-safety-initiative> that will serve as repository for further information on the initiative and this disclosure request.

The list of investors supporting this request are detailed below (Annex I).

Yours sincerely,



**Adam C.T. Matthews**  
Co-Lead  
Investor Mining & Tailings Safety Initiative  
Director of Ethics & Engagement  
Church of England Pensions Board



**John Howchin**  
Co-Lead  
Investor Mining & Tailings Safety Initiative  
Secretary General  
Swedish Council on Ethics  
for the AP Public Pension Funds

\* attesting that the information presented is true to the best of your knowledge, based on your governance, technical and review systems.

## **Annex I: Investor Signatories**

Aberdeen Standard Investments
Achmea Investment Management
Adrian Dominican Sisters, Portfolio Advisory Board
Aegon Asset Management
Airways Pension Scheme and New Airways Pension Scheme
Allianz Global Investors GmbH
Alphinity Investment Management
Andra AP-fonden (AP2)
APG Asset Management
AustralianSuper
Aviva Investors
Baillie Gifford
BlueBay Asset Management LLP
BMO Global Asset Management
BNP Paribas
Border to Coast Pensions Partnership
British Airways Pension Investment Management Limited
British Columbia Investment Management Corporation (BCI)
Brunel Pension Partnership
Caisse de dépôt et placement du Québec (CDPQ)
CalPERS
CalSTRS
CCLA
Central Finance Board of the Methodist Church
Church Commissioners for England
Church of England Pensions Board
Conference for Corporate Responsibility Indiana and Michigan
Congregation of St Joseph
CoreCommodity Management, LLC
Daughters of Charity, Province of St Louise
DNB Asset Management
Domini Impact Investments
EdenTree Investment Management
EFG Asset Management
Environment Agency Pension Fund
ESG Portfolio Management GmbH
Ethos Foundation Switzerland
Epworth Investment Management
FIM/S-Bank Wealth Management
Fjärde AP-fonden (AP4)
Första AP-fonden (AP1)
Friends Fiduciary Corporation
GAM
Gemway Assets
Government Superannuation Fund Authority
Greater Manchester Pension Fund
GW&K Investment Management
Hermes

Invesco Asset Management
Investec Asset Management
Janus Henderson
Jesuit Committee on Investment Responsibility
Karner Blue Capital, LLC
KBI Global Investors
Länsförsäkringar AB
LAPFF
LGIM
LGPS Central
Local Pensions Partnership
London Borough of Hackney
Lothian Pension Fund
M & G
Mercy Investment Services
Merseyside Pension Fund
MFS Investment Management
Moneda Asset Management
MP Pension
National Employment Savings Trust (NEST)
Newton Investment Management
New Zealand Superannuation Fund
Nordea
Northern LGPS
Öhman Fonder
OIP Trust
Pax World Funds
Pensions Caixa 30
PGGM
Rathbone Brothers Plc
RBC Global Asset Management
Richmond Global Compass
Robeco
Royal London Asset Management (RLAM)
RRSE (Le Regroupement pour la responsabilité sociale des entreprises)
Ruffer LLP
Sarasin & Partners
Schroders
Seamans Capital
SHARE (Shareholder Association for Research & Education)
Sisters of St. Francis of Philadelphia
Sjunde AP-fonden (AP7)
Skandia
Solaris Investment Management
Storebrand Asset Management
Strathclyde Pension Fund
Sustainable Value Investors
SYZ Asset Management
Tredje AP-Fonden (AP3)
Trillium Asset Management

Tyne and Wear Pension Fund
UBS Asset Management
Union Investments
Universities Superannuation Scheme (USS)
Vancity Investment Management Ltd.
Water Asset Management LLC
Zevin Asset Management

## Annex 2: Disclosure requirements

Overview question:

Please:

- a) Provide an overview of your tailings management system, and how you manage risk  
b) Confirm whether your approach to tailings management has changed or will change in light of the recent tailings disasters at Brumadinho, Mariana, Mt Polley and others. Have you, for example, reviewed all tailings storage facilities with upstream dam construction, and taken steps necessary to protect local communities and the environment e.g. buttressing, evacuation?

	Notes
<b>1. "Tailings Facility" Name/identifier</b>	Please identify every <b>tailings storage facility</b> and identify if there are multiple dams (saddle or secondary dams) within that facility. Please provide details of these within question 20.
<b>2. Location</b>	Please provide Long/Lat coordinates
<b>3. Ownership</b>	Please specify: Owned and Operated, Subsidiary, JV, NOJV, as of March 2019
<b>4. Status</b>	Please specify: Active, Inactive/Care and Maintenance, Closed etc.  We take closed to mean: a closure plan was developed and approved by the relevant local government agency, and key stakeholders were involved in its development; a closed facility means the noted approved closure plan was fully implemented or the closure plan is in the process of being implemented. A facility that is inactive or under C&M is not considered closed until such time a closure plan has been implemented.
<b>5. Date of initial operation</b>	(date)
<b>6. Is the Dam currently operated or closed as per currently approved design?</b>	Yes/No. If 'No', more information can be provided in the answer to Q20
<b>7. Raising method</b>	Note: Upstream, Centerline, Modified Centreline, Downstream, Landform, Other.
<b>8. Current Maximum Height</b>	Note: Please disclose in metres
<b>9. Current Tailings Storage Impoundment Volume</b>	Note: (m <sup>3</sup> as of March 2019)
<b>10. Planned Tailings Storage Impoundment Volume in 5 years time.</b>	(m <sup>3</sup> as planned for January 2024)

<p><b>11. Most recent Independent Expert Review</b></p>	<p>(date) For this question we take 'Independent' to mean a suitably qualified individual or team, external to the Operation, that does not direct the design or construction work for that facility.</p>
<p><b>12. Do you have full and complete relevant engineering records including design, construction, operation, maintenance, and/or closure?</b></p>	<p>(Yes or No) We take the word "relevant" here to mean that you have all necessary documents to make an informed and substantiated decision on the safety of the dam, be it an old facility, or an acquisition, or legacy site. More information can be provided in your answer to Q20</p>
<p><b>13. What is your hazard categorisation of this facility, based on the consequence of failure?</b></p>	
<p><b>14. What guideline do you follow for the classification system?</b></p>	
<p><b>15. Has this facility, at any point in its history, failed to be confirmed or certified as stable, or experienced notable stability concerns, as identified by an independent engineer (even if later certified as stable by the same or a different firm).</b></p>	<p>(Yes or No) We note that this will depend on factors including local legislation that are not necessarily tied to best practice. As such, and because remedial action may have been taken, a "Yes" answer may not indicate heightened risk.</p> <p>Stability concerns might include toe seepage, dam movement, overtopping, spillway failure, piping etc. If yes, have appropriately designed and reviewed mitigation actions been implemented?</p> <p>We also note that this question does not bear upon the appropriateness of the criteria, but rather the stewardship levels of the facility or the dam. Additional comments/information may be supplied in your answer to Q20.</p>
<p><b>16. Do you have internal/in house engineering specialist oversight of this facility? Or do you have external engineering support for this purpose?</b></p>	<p>Note: Answers may be "Both".</p>
<p><b>17. Has a formal analysis of the downstream impact on communities, ecosystems and critical infrastructure in the event of catastrophic failure been undertaken and to reflect final conditions? If so, when did this assessment take place?</b></p>	<p>Note: Please answer 'yes' or 'no', and if 'yes', provide a date.</p>
<p><b>18. Is there a) a closure plan in place for this dam, and b) does it include long term monitoring?</b></p>	<p>Please answer both parts of this question (e.g. Yes and Yes)</p>

<p><b>19. Have you, or do you plan to assess your tailings facilities against the impact of more regular extreme weather events as a result of climate change, e.g. over the next two years?</b></p>	<p>(Yes or No)</p>
<p><b>20. Any other relevant information and supporting documentation. Please state if you have omitted any other exposure to tailings facilities through any joint ventures you may have.</b></p>	<p>Note: this may include links to annual report disclosures, further information in the public domain, guidelines or reports etc.</p>