

Request for Comments on Proposed Revisions to Cyanide Code Program Documents

The Cyanide Code program is supported by twenty-three documents that provide guidance and instructions to participating operations in preparing for certification and to auditors assessing compliance. They also provide information, instruction, and details on administrative requirements to participating companies and auditors.

The International Cyanide Management Institute (ICMI) has reviewed its and drafted revisions to a number of the Cyanide Code's supporting documents. This process has also included consolidation of a selected documents and drafting of one new document, *Guidance for Use of the Cyanide Production Verification Protocol*.

ICMI is requesting comments from stakeholders on the 11 documents identified below. These documents have been revised for clarity and for consistency both within and between documents. Information that was previously included in multiple documents has been consolidated, where possible, into a single document. Documents used by operations to prepare for certification and used by auditors in evaluating compliance have been revised to account for ICMI's experience with Code implementation, compliance issues, and evaluating audit reports over the past 14 years, as well as changes in industry practices since initial development of the Code. Documents have also been reformatted to improve appearance and "readability".

Comment Process

ICMI requests that interested stakeholders submit comments on these documents to comments@cyanidecode.org, no later than November 27, 2020. ICMI will consider comments and make revisions as appropriate.

After consideration of any comments made during the comment period, ICMI will seek approval of the documents by ICMI's Board of Directors. If approved, documents will be finalized, translated, and posted as final on the ICMI website.

A list of the draft revised documents being distributed follows, with a summary of notable changes to these documents. Stakeholders are encouraged to identify those documents most relevant to their own operations and interests, examine those documents and provide ICMI with feedback.

DOCUMENTS FOR COMMENT

The Cyanide Code

Contains the Code's scope, Principles, and Practices, and information on how the Code is managed, such as its administration through the ICMI. It also includes summaries of requirements for auditing, submission of reports, and certification maintenance.

Notable revisions include:

- The Principles and Production Practices for cyanide production operations, and the Principles and Transport Practices for cyanide transport operations have been included. The document previously included only the Principles and Standards of Practices for mining operations. The Production and Transport Principles and Practices now included had not been developed when *The Cyanide Code* was first published.
- Detailed requirements and information for Code signatory and certification processes have been relocated to the *Signatory and Certification Process*.

Signatory and Certification Process

Includes detailed requirements for becoming a signatory and for certification, including process and requirements for missed audit deadlines, returning to compliance, readmission of signatories, and re-designation of operations withdrawn from the program.

- Information for Code signatory and certification processes previously in *The Cyanide Code* have been moved to this document and consolidated with similar information already included.
- The requirement for signatories to make notification of significant incidents to ICMI within 24 hours has been retained. However, the previous requirement for any available additional information to be supplied within 72 hours of an event has been extended to one week. Although some information on the event is typically available after 72 hours, a complete root cause analysis, descriptions of response and actions taken, and assessment of potential for longer term effects is typically not available at 72 hours. ICMI believes that extending the second incident reporting deadline from 72 hours to one week will result in more complete information being reported and facilitate ICMI's analysis of incidents vis-à-vis Code requirements.

Signatory Application Form

This form is used to apply to be a signatory to the Code, and specified signatory obligations such as providing current information, reporting significant cyanide incidents, and having an audit conducted within three years of an operation being designated for certification.

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- ICMI's proposed definition for Criteria for Significant Incidents (also included within the *Definitions and Acronyms* document) has been added to the form to highlight the signatory's obligation to report such incidents.

Definitions and Acronyms

Includes definitions of terms used in Code documents and spells out acronyms used in Code documents.

- Addition of definitional criteria for "significant cyanide incidents".
- Addition of definitions of new terms not previously included in Code documents, such as "Isotainer".

Auditor Criteria

This document sets forth the requirements for Lead Auditors, Technical Expert Auditors, and other Auditors.

- ICMI requires lead auditors to be certified by a self-regulating professional organization. ICMI's expectation that such organizations require auditors to have ongoing auditing experience has been removed. ICMI itself requires continuing audit experience and tracks experience through submission of Auditor Credentials Forms.

Mining, Production and Transportation Verification Protocols and Guidances

Audits are typically conducted using two basic documents, a Verification Protocol and a Guidance for Use of the Verification Protocol, which provide detailed instructions and requirements for the certification auditing process, and include the Principles, Standards of Practice and Verification Protocol questions used by auditors to evaluate compliance. Versions of these documents exist specific to Mining operations and Transportation operations, along with a Verification Protocol for Production operations. General revisions to all of these documents were made to clarify compliance requirements, remove duplicate information, and include information previously found in other documents. A *Guidance for Use of the Cyanide Production Operations Verification Protocol*, which did not previously exist, has been drafted

Guidance for Use of the Mining Verification Protocol

This document presents information and guidance on expectations for auditing, report writing, report submission and compliance for Mining Operations. It also presents detailed guidance for interpretation of each Verification Protocol question used in evaluating compliance of mining operations.

Notable changes include:

- Information previously found only in the Implementation Guidance has been moved into the Mining Guidance, either as introductory language pertaining to a Standard of Practice or as guidance for a particular protocol question. This has eliminated the need for the separate *Implementation Guidance* document.
- Guidance on recertification audits has been moved from the *Recertification Guidance* to the General Guidance section of this document, making this *Mining Guidance*, eliminating the need for the Recertification Guidance document.
- A requirement has been included that auditors examine whether an operation reported any significant cyanide incidents to ICMI, so that operation and auditors are aware of this requirement as agreed to in the Signatory Application Form.
- Standards of Practice 1.1 and 2.2 included expectations that a mine's contracts with its cyanide producers and transporters should require the producers and transporters to be Code certified. However, both Standards of Practice also specifically noted that a mine was in compliance as long as their cyanide producer and transporter(s) actually were certified, even if they were not contractually obligated to be. The requirement regarding specific language in contracts have been eliminated, so that, consistent with the Code itself, compliance is based solely on a mine's use of cyanide that has been produced and transported by certified operations.
- Verification Protocol Question 6.1.4, which required that testing and calibration records for hydrogen cyanide monitoring equipment be retained for one year has been changed to require retention for three years, consistent with other record retention requirements and the three-year audit cycle.
- A requirement has been added for emergency drills to be conducted at minimum annually. Emergency drills are currently required, but no minimum frequency is identified. Emergency drills designed to test the adequacy of the operation's emergency

response plan and to fully test the operation's response capabilities specific to cyanide releases and exposures, including equipment availability and training, should be conducted at least once a year.

- Consolidation of Standards of Practice 9.1 and 9.2. Both of these Standards of Practice pertain to communication and dialogue with stakeholders. The expectations for compliance remains the same, however these two Standards and their associated Verification Protocol questions have been combined to allow for a single and more comprehensive explanation of the operation's program clearer explanations of the programs related to dialogue with stakeholders.

A number of related or duplicative Verification Protocol questions have been consolidated into single questions. The consolidated questions have been designed so that expectations for compliance have not changed. Examples include:

- Verification Protocol questions (6.3.7, 7.6.2, 8.3.6, and 8.3.7) on mock drills have been consolidated into a single question (7.6.2). The single questions sets out all expectations on the use of mock drills for evaluation of emergency response training and capabilities.
- Question 6.1.3 has been incorporated into 4.1.4. Both questions addressed change management. Consolidation into a single question is designed to enable a complete single description of the operation's change management systems.
- Question 4.9.6 has been incorporated into 4.4.3. Both questions asked for similar information regarding procedures for wildlife monitoring related to process solutions.

Mining Verification Protocol

The Verification Protocol includes a short introduction for its use, and then lists sequentially the Production Principles, the Production Practices for each Principle, and the Verification Protocol questions that are designed to test whether an operation is in compliance with each Production.

- Introductory information that duplicates language in the Mining Guidance has been removed.
- Production Practices and Protocol questions have been revised consistent with changes made to the same Mining Practices and Protocol questions in the Guidance.

Guidance for Use of the Transportation Verification Protocol

This Guidance presents information and guidance on expectations for auditing, report writing, report submission and compliance for Transport Operations, including both truck transporters and supply chains. It also presents detailed guidance for interpretation of each Verification Protocol question used in evaluating compliance of truck transport operations and consigner supply chains.

- Additional general guidance has been added relative to expectations for auditing consigners responsible for supply chains, and for conducting and reporting of supply chain audits and associated due diligence investigations of supply chain components such rail and shipping lines and ports.
- Separate guidance discussion has been provided for each Protocol question regarding its application to truck transport and consigners.

Transportation Verification Protocol

- Transport Practices and Protocol questions have been revised consistent with changes made to the same Transport Practices and protocol questions in the Transport Guidance.

Guidance for Use of the Production Operations Verification Protocol

ICMI does not currently have a guidance document for cyanide production. Auditors have previously been advised to use for this purpose the guidance for similar Standards of Practice and Verification Protocol in the Mining Guidance. A guidance specific to production facilities and the questions within the Production Verification Protocol has been developed, using the Mining Guidance as an initial reference.

- The new Production Guidance includes separate discussion and guidance for auditing cyanide warehouses in which there is no liquid cyanide, and wherein solid cyanide is not removed from its packaging.

Production Verification Protocol

- Production Practices and Protocol questions have been revised consistent with changes made to the same Production Practices and protocol questions in the Guidance.

DOCUMENTS HAVING NO SUBSTANTIVE REVISIONS

A number of documents were reviewed, but for which no substantive revisions were necessary. Reformatting and minor, non-substantive edits, such as for spelling or grammar, will be incorporated prior to re-publication on the Cyanide Code website.

- ***Dispute Resolution Procedure***
- ***Request for Mediation Form***
- ***Auditor Credentials Form***
- ***Summary Audit Report Format for Mining Certification Reports***
- ***Summary Audit Report Format for Production Certification Reports***
- ***Summary Audit Report Format for Transportation Certification Reports***
- ***Corrective Action Plan Requirements***

DOCUMENTS TO BE RETIRED

ICMI also identified several documents that included large amounts of information that was similar or identical to information in other documents. The information in these documents has been consolidated into other documents to simplify the number of documents necessary for conducting and reporting on audits. Documents being retired and removed from ICMI's document library as a result of this consolidation include:

Recertification Guidance

This document included instructions and guidance specific to conducting recertification audits. This material is now included in the primary guidance documents for auditing mining, production, and transportation operations.

Mining Pre-operational Verification Protocol
Production Pre-operational Verification Protocol
Transportation Pre-operational Verification Protocol

These Pre-operational Verification Protocols included instructions and information specific to conducting and reporting pre-operational certification audits. This material is now included in the audit guidance documents for Mining, Production, and Transportation.

Implementation Guidance

The information in this general guidance for implementing the Cyanide Code has been included in the guidance on implementing and complying with Code requirements in the Mining, Production and Transportation Auditor Guidance documents.