

May 14, 2019

Dear [REDACTED]:

**Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* (File # NR-71-2019)**

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On April 23, 2019, the Department of Natural Resources received your request for access to the following records/information:

**In NR-42-2019 there is a reference to a meeting note for Iron Ore Company of Canada, please provide a copy of this note and any other briefing, information, meeting, direction/decision notes relating to this company for the past three months.**

I am pleased to inform you that a decision has been made by the Department of Natural Resources, confirmed by the Deputy Minister, to provide access to the requested records. The records are attached.

We are providing access to the most information possible but have made redactions in accordance with Sections 29(1)(a), 30(1)(a), 35(1)(d), 35(1)(f), 35(1)(g) and 35(1)(h) of *ATIPPA, 2015* as follows:

29. (1)(a) The head of a public body may refuse to disclose to an applicant information that would reveal advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

30. (1)(a) The head of a public body may refuse to disclose to an applicant information that is subject to solicitor and client privilege or litigation privilege of a public body;

35. (1)(d) The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to result in the premature disclosure of a proposal or project or in significant loss or gain to a third party;

35. (1)(f) The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the government of the province or a public body, or considerations which relate to those negotiations;

35. (1)(g) The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to prejudice the financial or economic interest of the government of the province or a public body;

35. (1)(h) The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to be injurious to the ability of the government of the province to manage the economy of the province.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Access to Information and Protection of Privacy Act* (the *Act*). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John's, NL A1B 3V8

Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act*.

Please be advised that this letter will be published following a 72 hour period after it is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the letter posted to the Completed Access to Information Requests website within one business day following the applicable period of time.

If you have any questions, please feel free to contact me at 709-729-0463 or [rhynes@gov.nl.ca](mailto:rhynes@gov.nl.ca).

Sincerely,

A handwritten signature in cursive script that reads "Rod Hynes".

Rod Hynes  
ATIPP Coordinator





- The Minister may wish to inquire on the status of the operations centre and if any decision making responsibility has been migrated to the centre. The Minister may also express that the province is interested in ensuring that this capacity is developed within the province.
- The province expects control rooms with operating control over facilities processing ore in Labrador to be located in Labrador.

Proposed Actions

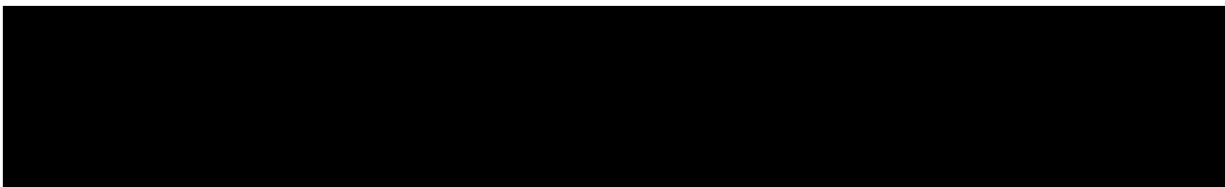
- None at this time.

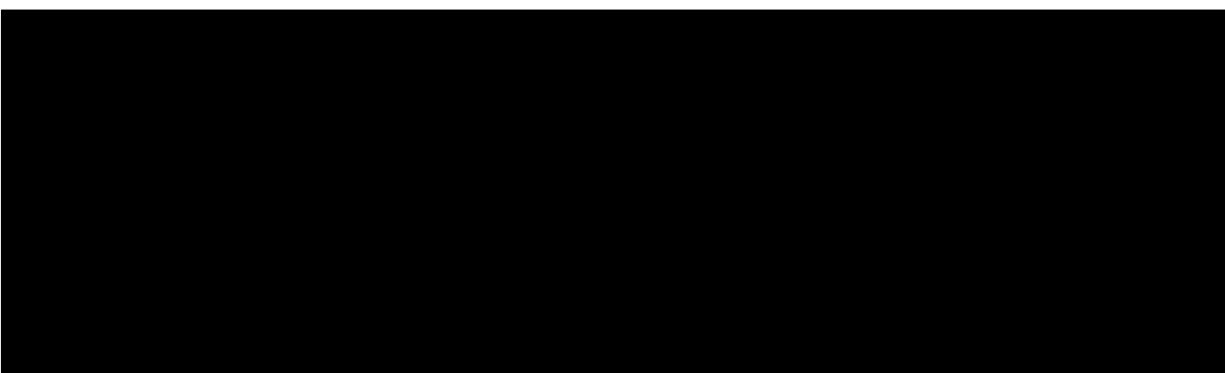
**Agenda item #2: Aboriginal Consultations**

- IOC Executive may wish to discuss the status of Aboriginal Consultations on the Smallwood and Magy projects.

Analysis

- Government's 2013 Aboriginal Consultation Policy on Land and Resource Development Decisions "expects project proponents to work in good faith to engage in consultation with Aboriginal organizations based on principles of respect, open communication and cooperation. A project proponent proposing resource development is expected to consult and consider the views of the Aboriginal organizations whose asserted rights may be adversely impacted by the proposed development."

-  S.29.1.a  
30.1.A

-  S.29.1.a  
S.35.1.d  
S.35.1.f  
S.35.1.g  
S.35.1.h

- ITUM subsequently requested a meeting with Government officials to discuss both projects, and further requested that no permits be issued or approvals granted in respect of either project until the conclusion of that face-to-face meeting.

- On January 10, 2019, senior officials from IIAS, MAE, and NR travelled to Montreal to meet with ITUM officials and counsel, to discuss each of the Magy and Smallwood projects.

-  S.35.1.h  
S.35.1.g  
S.29.1.a  
S.35.1.d  
S.35.1.f

-  S.29.1.a

[Redacted]

S.29.1.a

- [Redacted]

S.29.1.a

S.35.1.d

S.35.1.f

S.35.1.g

Potential Speaking Points

S.35.1.h

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

S.29.1.a

S.35.1.d

S.35.1.f

S.35.1.g

S.35.1.h

Proposed Actions

- NR will continue to work with IIAS on Aboriginal consultations as permits come in.

**Agenda item #3: Greenhouse Gas Reduction**

- IOC Executive will provide an update regarding greenhouse gas reduction and innovation.

Analysis

- The Province's carbon pricing system commenced implementation on January 1, 2019. On-site GHG emissions at IOC will be covered by a performance benchmark (through the *Management of Greenhouse Gas Act*) and other off-site GHG emissions, such as from on-road vehicles and locomotives, will be subject to a carbon tax (*Revenue Administration Act*). Information briefings have been held with IOC officials on both the performance standard and carbon tax.
- With respect to the performance benchmark, IOC officials have indicated that the provincial approach (described below) will allow IOC to maintain a level playing field from a competitiveness standpoint.
- IOC, similar to other industrial facilities, will be required to reduce its GHG-to-output ratio by 6 percent in 2019 relative to its 2016-2017 average performance, excluding fixed process emissions. The stringency will be increased to 8 percent in 2020, 10 percent in 2021 and 12 percent in 2022. In these future years starting 2020, the baseline will also be adjusted to include average 2016-2018 performance. For the most part, this approach is consistent with IOC's position during consultations in 2018.
- IOC will receive the Carbon Tax exemptions on the same products as the Gasoline Tax exemptions, for example locomotive fuel is exempt from both Carbon and Gasoline Tax.

- IOC has received a Carbon Tax Exemption Permit with respect to any purchase of Light Fuel Oil or Heavy Fuel Oil. This carbon tax exemption only applies to carbon products listed on the permit used by an industrial facility with a greenhouse gas reduction target and in a source category prescribed in the Management of Greenhouse Gas Reporting Regulations. These source categories include: (i) general stationary combustion; (ii) electricity generation; (iii) mobile equipment; and (iv) petroleum refining.

Potential Speaking Points

- Government will continue to support IOC in its endeavors to innovate and create solutions to ongoing issues and upcoming advancements.
- The Minister may wish to inquire on the scope of impact to IOC operations from the introduction of Greenhouse Gas Reductions.

Proposed Actions

- None at this time.

**Prepared/Approved by:** B. Lawlor / K. Bradbury / A. Smith / P. Canning  
**Ministerial Approval:**

February 20, 2019



## **Biographies**

### **Clayton Walker, President and CEO, Iron Ore Company of Canada**

Clayton Walker earned his Bachelor of Science degree in Metallurgical Engineering from the University of Utah and later completed a Masters of Business Administration from the University of Utah.

Mr. Walker was appointed President and Executive Chairman of the Iron Ore Company of Canada with Rio Tinto in November, 2016. He previously served as the managing director of the Pilbara Supply Chain for the Iron Ore business of Rio Tinto Group. In this role, Clayton had accountability for Pilbara rail, ports, utilities, accommodation and towns, autonomous trains, Operations Centre, integrated planning and business improvement functions. Clayton is also a member of the Iron Ore Executive Committee.

Clayton joined Rio Tinto in 2001 and has worked in senior management roles for the energy and copper product groups, at Gillette, Spring Creek, Greens Creek and Kennecott.

Most recently he was Chief Operating Officer of the Pilbara Supply Chain for the Iron Ore business, where he played a lead role in the strategy and optimization of the railway, ports and operation centre while leading the work around the AutoHaul™ automated rail network.

Prior to joining Rio Tinto, Clayton held a number of project, engineering, sales and marketing, business development and management roles with Baker Process Systems and Larox Flowsys.

### **Heather Bruce-Veitch, Director, Communications & External Relations**

Heather Bruce-Veitch graduated from Memorial University with a Bachelor of Arts majoring in French and is currently the Chair of Mining NL, Director of the NL Employers Council and Vice-President Canadian Institute of Mining NL Branch.

Currently in her 25th year with the Iron Ore Company, Heather Bruce-Veitch is Director of Communications & External Relations based in St. John's, NL, having recently returned from over twenty years in Labrador West. Heather has primary responsibility for engaging and building relationships with external stakeholders who include communities, government, business partners and media.

Prior to her recent appointment Heather was the Manager Human Resources with responsibility for the two operating sites: Labrador City, and Sept.-Iles, Quebec, with a workforce of approximately 2000 employees.

She has led teams in the areas of employee recruitment and retention, industrial relations as well as talent management. Heather has progressed through a series of leadership roles within IOC and has a wide variety of experience in both industry and federal government and is bilingual.