



PUBLISH WHAT YOU PAY (MG/UK) AND THE ANDREW LEES TRUST (ALT UK) COMMENTS ON THE RESPONSE FROM QMM

REGARDING: RIO TINTO / QMM WATER CONTAMINATION IN ANOSY

OUR REPLY TO RIO TINTO/QMM:

Rio Tinto/QMM's response to the issues raised has been profoundly unsatisfactory. The significant delays we have experienced waiting for RT/QMM to answer dozens of technical questions and provide documents as requested (since 2018), also to respond in a rigorous way to our community and hydrology studies (2019, 2020, 2021), is inconsistent with its assertions of ensuring transparency and information sharing. Local civil society in Madagascar is being disabled by confusing and protracted exchanges with QMM on data anomalies, and civil society organisations' time and resources are being wasted by the poor engagement process, which has no structure and fails to deliver clear and meaningful responses to local concerns, and to national/international demands for tangible action. See our [letter of complaint here](#)

Additionally, the language used by RT/QMM – for example, “historical exceedances” and “historical” water data – is disingenuous, suggesting the problem is in the past – together with all the inconvenient “historical” data that shows the high levels of uranium and lead detected downstream of the mine, and attributed to the QMM operation. As our one-page summary of key areas of contestation demonstrates ([see here](#)), the problem is still very much alive. Temporary mitigation measures – such as stopping the discharge of QMM mine process wastewater, which relies upon opportunistic weather conditions (the south of the country being in a drought currently) – is no answer to the long-term implications of the QMM mine contamination risks, especially when all the existing data points clearly to a detrimental impact of the mine on regional water quality. We maintain that urgent and appropriate action is needed.

See below in Annex:

- 1) **Letter of complaint** from PWYP MG/UK and ALT UK to Rio Tinto Plc
- 2) **Summary Page** on Rio Tinto/QMM Water Contamination (status September 2021)

Sinead Kaufman
CEO Minerals
Rio Tinto Plc

14th September 2021

Dear Ms Kaufman,

You will see from our recent Comments document, sent in relation to QMM's response to our questions from April-May, and also in our observations after the meeting on 1st Sept 2021, that we remain deeply dissatisfied with Rio Tinto's engagement process. The matter of outstanding questions and requests from our previous correspondence that you said would be addressed but remain unresolved is unacceptable.

We ask you to clarify the new parallel Rio Tinto process that seems to be instigated with QMM for CSOs, with a Rio Tinto facilitator. Why were we not informed in advance that company officers and specialists would be present, or that a new Rio Tinto facilitator would be conducting the local QMM team "follow up" session on 1st September? QMM had told us they would be addressing and answering questions we had sent, so it was expected to be a local meeting with QMM staff.

There were finally ten Rio Tinto/QMM personnel in the room, almost twice the number of civil society. Many of them we had never met before, and it was unclear why they were there and what their role is in these matters.

When asked, the new Rio Tinto facilitator explained he was designated to "assist QMM", but we do not know 1) who appointed him or 2) if his assistance is aimed to reduce reputational damage to QMM, or to instigate meaningful action, and 3) if yes to the latter, what level of authority he carries – i.e., is he a member of the SMT or authorised to take decisions on its behalf? It is not evident.

Additionally, the inputs of Rio Tinto's Chief Adviser, Frank Harris, served only to confuse the debate on water data by conflating radioactivity monitoring data with chemical water data. The outcome of this meeting is a series of "points of discussion" that largely resemble the same ones we have repeatedly seen, heard and/or agreed as actions with RT, to no actual effect.

We note that (except one) the points are not recorded as commitments from QMM. Next steps produce no change from before. We are treading water.

In this regard, this kind of event has the reverse impact to what is ostensibly intended. It exacerbates power imbalances and further delays meaningful answers to our questions and requests. Rio Tinto/QMM is wasting civil society's time and resource that CSOs badly need to perform their duties and services to local communities. In this, the company is doing more harm than good.

Clearly, QMM is not serious about being accountable for its actions. Its response to CSOs make a mockery of previous promises made. It is laughing at civil society. You will perhaps now understand why we have rejected pressure from you to take matters to QMM. Meanwhile, there has been no continuity in the RT dialogue since August 2018. We constantly have to address new RT personnel with no expectation that they can or will change anything – as has been the case to date, despite your oversight and assurances to the contrary.

Rio Tinto cannot purport to have "dialogue" with civil society whilst failing to honour that process in a meaningful and equitable way. We find the treatment of our group, and of Malagasy civil society in general, deeply disrespectful. We are now making a formal complaint. We will be taking our complaint to Board level. Please advise us of Rio Tinto's complaints procedure as this is not publicly evident.

We look forward to your prompt reply.

Sincerely,



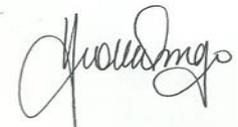
Dr Ketakandriana Rafitoson, Publish What You Pay Madagascar (PWYP MG)



Miles Litvinoff, Publish What You Pay UK (PWYP UK)



Craig Bennett, UK Environmental Campaigner



Yvonne Orengo and p.p. Tony Long, Andrew Lees Trust (ALT UK)

RIO TINTO / QMM WATER CONTAMINATION IN ANOSY, MADAGASCAR

September 2021

Background

Studies were commissioned by The Andrew Lees Trust (ALT UK) following concerns raised in 2017 about Rio Tinto/QMM's breach of an environment buffer zone and leaching of radionuclides into lakes and waterways where local people fish and collect drinking water. The findings of these studies have been the basis of national/international advocacy¹ calling on Rio Tinto (RT)/QMM to manage QMM mine process waters effectively, provide alternative access to safe drinking water² for local mine-affected communities, and communicate transparently with local stakeholders/communities.

In 2019 RT finally admitted QMM's breach of the buffer zone, and announced it would reinstate an 80-metre buffer on the new dredging site. However, the company denied that the QMM mine was responsible for elevated levels of uranium detected downstream of the mine. Nevertheless, RT/QMM's lack of a radioactivity monitoring plan for the QMM mine's impact on the wider environment was exposed. RT made a commitment to conduct a new radioactivity monitoring exercise and engaged external providers JBS&G. The study is due to be concluded in 2022.

The JBS&G radioactivity study is a separate exercise, distinct from water quality monitoring using chemical measurements of water. The latter have been used in *all studies to date* for determining the presence of heavy metal contaminants, e.g., uranium, lead. In July 2020, QMM shared JBS&G's "incidental" report of water data using chemical measurements. QMM also issued JBS&G's radioactivity study update in August 2021. The latter update document has no water data analysis available, so cannot contribute to the current findings/discussion on water.

Key issues on contamination

1. QMM illegally breached an environmental buffer zone and placed its mine tailings on the bed of Lake Besaroy. QMM mine tailings are enriched with radionuclides uranium and thorium.
2. Independent studies (Swanson, Emerman) demonstrated concentrations of uranium and lead in waters downstream of the QMM mine, 52 and 40 times respectively the WHO guidelines for safe drinking water.
3. RT/QMM claimed elevated uranium levels were naturally occurring. QMM/JBS&G's data contradict this claim, since their data show much higher uranium on the downstream side of the mine than on the upstream side.
4. In 2021, QMM admitted exceedances of cadmium and aluminium in its discharge process waters beyond statutory limits. Uranium levels were above WHO guidelines but are not limited under Malagasy regulations
5. The "passive" water management system, which QMM hopes will remove these heavy metal contaminants from the mine's process (reject) water before its release into the environment, is not working. Instead, levels of uranium, lead, cadmium and aluminium appear to be increasing in the wetland swamps, where they are meant to be "naturally" removed before QMM process water is discharged into the river.
6. QMM has produced no modelling for how its "passive" water management system is meant to work.
7. QMM has temporarily ceased all release of its mine process water. Discharge of process water from the mining basin is a critical aspect of QMM's water management system. Mining pond levels must be maintained 1-2 metres below the level of adjacent lakes. Currently, the south of Madagascar is experiencing a drought so water levels are low. When conditions change, QMM will have to discharge its mine process waters again. RT/QMM has yet to come up with a long term, viable solution for QMM's water management system.
8. JBS&G's 2020 water data indicated heavy metal levels fell within WHO guidelines, but data were analysed as though no previous data existed, ignoring all of QMM's water data. QMM states *all* its water data is reliable (inc. "historic") and is used for reports to the Malagasy Government. All data should be reviewed and included in the site analysis - if it is not deemed unreliable, or rejected by its authors.
9. JBS&G water data alone cannot provide analysis for what happens in the environment when QMM discharges its mine process waters over time, since it only has samples from one short release period (Dec 2019).

More than 20 technical questions were sent to QMM following publication of its water discharge monitoring data (2021). Other outstanding questions from 2018-21 also await response from RT/QMM. RT/QMM has only responded to some questions, and only in part. We see RT/QMM's failure to answer technical questions or to respond to studies as a delaying tactic to avoid providing tangible solutions for communities.

¹ Since 2018, advocacy efforts about the water contamination have been advanced by Publiez Ce Que Vous Payez Madagascar (PCQVP MG), Publish What You Pay UK (PWYP UK), The Andrew Lees Trust (ALT UK), Friends of the Earth (EWNI) and London Mining Network.

² water free of heavy metal contaminants and without risk of long-term health impacts.