

The state of the Cononish goldmine? The cover-up by LLTNPA senior staff and the need for their Board to act

Description



Stack 2 - Initial deposit of tailings as per KP Technical Note/ phased approach

Photo from monitoring report of 13th March 2023 showing how tailings stack No 2 looked then

This is the most recent official photo from the Loch Lomond and Trossachs National Park Authority showing the state of the Cononish goldmine. Now imagine what might have happened if 8 inches/20cm of rain had fallen on it last weekend as happened elsewhere in the west of Scotland with no workforce available to respond?

Six months on from this photo perhaps the stack was in a less vulnerable state? With the company that runs the mine having laid off staff and heading for administration ([see here](#)) that seems unlikely. Perhaps, however, the rainfall that fell in Cononish Glenlast weekend was less than other parts of the National Park? The nearest SEPA rainfall gauge is at Loch Awe and it shows the rainfall there was higher rainfall two weeks – so perhaps. With extreme rain events being so localised and the amount of rain that falls varying considerably even over short distances that does not tell us much. The point is we simply don't know.

However, given the environmental issues at stake if everything is fine why hasn't the LLTNPA said so publicly?

The cover up by LLTNPA senior management of what is happening at the gold mine

In June the LLTNPA refused to release a copy of the Monitoring Report for 13th March stating it would be published on 13th September. Under Freedom of Information laws where a public authority has committed to publish information at a point in the future there is no grounds for appeal to the Information Commissioner. However, as the screenshot in my post last week showed, the LLTNPA failed to publish the report as promised.

Following that post I wrote to Dr Heather Reid (convener@lochlomond-trossachs.org) to complain about this and, given the crisis at the mine and given the lack of any board approved plan to prevent an environmental disaster from happening, to request she call a special board meeting to discuss the situation and instigate weekly monitoring visits by LLTNPA staff.

On Tuesday I received an email response back from “Information Management” claiming that the report had not been published due to an “oversight” and was now available on the planning portal, that “ongoing monitoring of the site continues” – whatever that means – but nothing about a board meeting.

The monitoring report was on the planning portal ([see here](#)) but the LLTNPA had recorded the date of publication as 13th September which was wrong (I have a dated screenshot that proves this).

	<u>Date Published</u> ▾	<u>Document Type</u> ▾	<u>Description</u> ▾
<input type="checkbox"/>	13 Sep 2023	Monitoring Development Report	PMO Report 33 13.03.2023
<input type="checkbox"/>	13 Jun 2023	Monitoring Development Report	PMO Report 32 13.12.2022
<input type="checkbox"/>	24 Apr 2023	Monitoring Development Report	PMO Report 31 25.10.2022

With the LLTNPA falsifying even the most basic of information (in this case it appears they wanted to deceive people into believing they had kept the promised timescales), no-one should trust anything they say.

I wrote back to Dr Reid asking for a proper investigation of the “oversight” and asked her to clarify what monitoring arrangements were in place and whether she would call a board meeting. Once again the response was from information management:

“The Convener has noted that the correspondence was being dealt with firstly as a complaint and now a complaint investigation and the operational nature of the content”.

What this effectively says is that questions of how to protect the natural environment in the National

Park have nothing to do with the board and are purely an operational matter. Also that any concerns that the public raises about “operational matters” are also an operational matter. Both are clearly wrong: ensuring the LLTNPA has prepared for and is responding appropriately to the crisis of the goldmine is a matter of basic governance. If what Dr Reid is purported to have said is true, the LLTNPA Board might as well abolish itself, it serves no function.

I am still not totally convinced Dr Reid actually read my correspondence as any email I send to anyone in the National Park is diverted through information management and vetted. However, if she has, it appears she has been told by staff to leave it to them..

The LLTNPA should have received three further mine monitoring reports since the one it has just published. In response to my FOI request it justified its decision not to publish monitoring reports for six months on two grounds, the first that it needed to agree the reports and actions with Scotgold, the owners, of the mine, and the second “commercial confidentiality”. With Scotgold likely to go into administration it would appear there may be no-one left with whom to agree the reports and no workforce in place to implement any agreed actions so the first argument no longer applies.

As for the commercial confidentiality argument, the LLTNPA’s delay in publishing the mine monitoring reports has kept from the public information indicates the mine was in difficulties:

<p>Mine extents survey received 11.02.22. Overlay of mine extents shows that the mine workings are not within Turquoise Line Boundary (TLB) on Fig. 13.1</p>	<p>Not in compliance</p>
<p>Noted that the mine extents started outwith the Turquoise Line Boundary (email R Latimer 17.08.22). No further changes to the mine plan are proposed in the next two/three years. NPA minded to treat this issue as a ‘de minimis’ breach via exchange of letters</p>	

Red but “de minimis”?

Why would Scotgold have extended the mine beyond its agreed boundaries if its estimates of the amount of gold ore in the veins on the site of the mine had been correct?

<p>The Planning Authority shall be provided with an up-to-date topographic survey referenced to the Ordnance Survey Datum at no more than 12 monthly intervals, during the operation of the mine, showing the extent of development at each survey date. The survey shall accurately record:</p> <p>Reason: <i>To ensure the development is being undertaken in accordance with the approved plans given the development is complex and large scale.</i></p>	<p>Plans to be submitted at 12 month intervals.</p> <p>Surveys will be due for submission February 2023</p>	<p>Mine Survey showing progress to April 2021 on Fig. C38(a)-2 dated 11.02.22. Mine Survey showing progress to 31 January 2022 on Fig. C38(a)-3 dated 09.02.22. Both received via email 11th February 2022 (RL/AW, AU 11.02.22)</p>	<p>Not in compliance Pending submission of updated topographic survey</p>
<p>The up-to-date extent (laterally and vertically) of underground mining operations;</p>	<p>Surveys will be due for submission February 2023</p>		<p>Not in compliance Pending submission of updated topographic survey</p>

Why the delay/failure by Scotgold to produce the up to date topographic survey of the mine?

<p>6.</p>	<p>Tailings Storage Facility (TSF) Total Storage Capacity Limit:</p>	<p>The storage capacity of the Tailings Storage Facility (TSF) shall not exceed 346,000 metres cubed of extractive waste (tailings).</p> <p>Reason: <i>To accurately define the extent of development that was assessed within the Environmental Statement and to minimise the visual impact of the development in this sensitive landscape within the National Park.</i></p>	<p>Storage capacity of cubed of extractive waste</p> <ul style="list-style-type: none"> • Check annual (38);
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Why too has the quantity of tailings, the “cumulative waste”, been “well within the total” agreed and why was the exact amount not published?

Together they provide an indication that the mine was NOT going to plan. That should have set alarm bells ringing. Secrecy is almost always a bad thing but in this case the LLTNPA decision to withhold information on grounds of commercial confidentiality appears to have worked not only against the public interest but AGAINST the interest of shareholders, both existing and prospective.

What the March monitoring report tells us about the environmental risks at the mine



Pond – removal of accumulated silts/ sludge

IronsideFarrar

97 of 97

Cononish PMO Planning Compliance Checklist 13.03.23 FINAL

What has happened to the settlement pond since the workforce was laid off? While the inflow of silt should have stopped, what will have been the impact of high levels of rainfall?

Despite the mine's low production of gold between January and March, it was still producing large quantities of silt. This was being removed eight times a day from the settlement pond (see blue below):

<p>3.</p>	<p>Construction Period & Pre-deposition Decommissioning and Restoration</p>	<p>All works associated with the construction of the surface workings including the ponds, fencing, site drainage, water tanks, parking, turning and storage areas, processing building, bund, and footprint of stack 1 (as shown on Drawing Figure 3.4, received on 10th August 2017) shall be completed within 12 months of the date of commencement of development (as indicated on the 'Notification of Initiation of Development', or date of commencement of development as determined by the Planning Authority) and mining operations shall thereafter commence within the following three months, unless otherwise agreed in writing by the Planning Authority.</p> <p>If mining operations do not occur by the end of such period (15 months from the date on the 'Notice of Initiation of Development' or date of commencement of development as determined by the Planning Authority or the aforementioned revised date agreed in writing by the Planning Authority) the applicant will be required to submit details of a revised Decommissioning and Final Restoration Plan (in accordance with Condition 32 and including: the complete removal of the 'barren' rock from the basal drainage layer of Stack 1 which shall be returned to the underground mine; removal of the processing building and associated infrastructure; removal, regrading and revegetation of the former mine platform</p>	<ul style="list-style-type: none"> All works associated with the surface workings to be completed within 12 months of commencement of Development; <ul style="list-style-type: none"> ponds, fencing, site drainage, water tanks, parking, turning, storage areas, processing building, bund, footprint Stack 1 In accordance with Drawing Figure 3.4, received on 10th August 2017 Mining operations shall thereafter commence within the following three months unless otherwise agreed. If mining operations do not occur by 15 months from Initiation of Development, submission by Operator of revised Decommissioning/Final Restoration plan (in accordance with PC 32) within 6 months of abandonment; and Restoration/decommissioning to be completed in accordance with approved within 2 years 	<p>SCL are currently carrying out snagging works for all construction elements, completion of snagging and closure of this list will signal end of the construction phase.</p> <p>Works associated with the construction of the surface workings includes:-</p> <ul style="list-style-type: none"> the ponds fencing site drainage water tanks parking turning areas storage areas processing building ROM pad bund, and footprint of stack 1 <p>Final outstanding elements for pond commissioning:-</p> <p>Sealing of Settlement Pond March 2023:- Shotcrete works will be carried out in spring 2023. SGZ have hired their own bowser and a programme of sludge/ sediment removal is in operation with SGZ undertaking 8 trips per day to clear the pond and maintain functionality. Shotcrete works will coincide with optimal sludge removal level.</p> <p>Working area for shotcrete has been marked out with survey flags on site. Contract to be awarded.</p>	<p>Partial compliance – final works to be completed on site</p>
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6 of 97

Cononish PMO Planning Compliance Checklist 13.03.23 FINAL

All the surface works (right column above) were supposed to have been completed within 12 months of the Notification of Initiation of Development which was received by the LLTNPA on 19th November 2018. Three and a half years later many of these are still incomplete.

Some of the original surface workings, however, including the arrangements for dealing with sediments, were not fit for purpose and in March 2021 a new settlement pond (the one in the photo) came into operation. Two and a half years later it, along with the other incomplete actions, are described as “snagging issues” (just like the funicular at Cairn Gorm [\(see here\)](#)!

These outstanding works have given an amber warning light in report after report. That is contrary to the LLTNPA’s own policy as explained in the monitoring reports:

“Please note that Amber actions observed on subsequent site inspections that remain unactioned will automatically switch to red”.

Reason enough one might have thought for Dr Heather Reid and the rest of the LLTNPA Board to take an interest. In the case of the new settlement pond, once leaks were identified it might initially have been justifiable to describe this as a snagging issue. The monitoring report for August 2022 stated:

“Settlement Pond – Shotcrete works to the embankment to be carried out soon. Working area for shotcrete has been marked out with survey flags on site. Contract to be awarded”.

By March the “soon” had become seven months and the action should have been classified as red. Unfortunately, with the LLTNPA refusing to publish monitoring reports we still don’t know if it has been done and to an acceptable standard.

This failure to complete the ground works has had significant consequences for the natural environment. The March Monitoring report records a number of pollution incidents including one “through” the settlement pond:

- Following a discharge incident on 9th January 2023 NPA raised concerns that reporting the protocol in the IRP (May 2022) was not being followed, email correspondence between SGZ and NPA January/ February 2023 resulted in the IRP being updated 01.02.23 (with Appendices) clearing setting out key contacts:- SEPA, Scottish Water & NPA and clarifying sediment discharge terminology
- Two further discharge incidents were reported:- Incident 30.01.23 – Via Settlement pond (controlled but in excess of CAR limits) and Incident 01.02.23 – uncontrolled release direct to Allt Eas Anie, both were reported to key contacts
- SEPA review of CAR Discharge Reports for December 2022 prompted comment regarding Total Suspended Solids exceedances on 19th (frozen Flocc dosing line) and 24th December (heavy rainfall diluted Flocc) 2022 as both were significantly over the limit for suspended solids, SEPA requested follow-up actions, SGZ responded with staff training on Flocc management
- SEPA undertook a site visit on 13.02.23 in response to the recent run of silt release incidents to review site operations with a plan to take regular samples of the trade effluent discharge

This pollution being caused by the mine is running into the River Tay catchment, famous for its salmon and supposedly protected as a Special Area of Conservation.

Another photo from the March monitoring reports gives an indication of what has been happening at the mine in wet conditions:



Stack 1 restoration progress – overview from Mine site platform

According to the March Monitoring report for Stack 2 (out of sight in this photo) “there is a stock pile area for dry material while wet tailings sit for 2 weeks in the cells to consolidate/ dry out”. Sounds sensible if you want to reduce the risk of the stacked tailings collapsing. Now note the pool of water in the centre of Stack 1 how does that fit with keeping tailing dry? Imagine what might happen if 20cms of rain fell into it – it appears to me an invitation to disaster.

Now compare what appears to be a drainage ditch on the left of the road in the photo above with a photo of the area around the portacabins from the monitoring report dated 21/3/21:



Walkway extends to the contractor's temporary compound, clarification of permanent / temporary nature of walkway at this location?

Farrar

82 of 85

Cononish PMO Planning Compliance Checklist 18.03.21

The gravel path now appears covered with silt and much of the peaty soil on the banks on either side to have washed away. It is still bare – in fact there appears to be less turf than there was two years ago – and there has been no vegetation recovery so “restoration”. It provides a good example of failed restoration work at the mine.

<p>December 2022:- During the December visit an inexperienced digger driver, managing the turf placement at Stack 1, was tracking over the turves with the digger tracks, which was chopping up the turves. This was not in compliance with the TMP. SCL reported after the visit (email D. Caffell 19.01.23) that the operative has received training</p>	<p>Partial compliance</p>
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Note how the digger driver was only found out because they were seen driving over turves during a site monitoring visit.

The failed restoration is not surprising given that it appears Scotgold has not been training staff appropriately in restoration techniques or supervising them. That all costs money of course.

While it is possible the LLTNPA forced Scotgold to use the dry period earlier this summer to fix the various water-related risks at the mine, it is equally possible that with Scotgold in financial crisis the state of the environment at the mine has deteriorated further. That is why it is so important that the

LLTNPA is totally transparent about what has been going on over the last six months and its Board properly discusses the situation.

If there is no problem and everything is under control it should be simple for the LLTNPA to publish evidence to show that.

More evidence that the LLTNPA is putting Scotgold's interest before the environment

There are several indications in the March monitoring report that Scotgold had been trying to reduce its operational costs, including those designed to protect the natural environment.

Under the travel plan, staff were required to park at Dalrigh just off the A82 and be transported up to the mine by minibus. That stopped during Covid, with the LLTNPA's permission, but since that ran out staff have still been travelling up to the mine by car (as you can see in the overview photo above).

HGV:

- Concentrate – 1 x 15 tonne truck per day at full production – 6 Trucks per week. Initially will be 1 truck every two days or 2-3 a week;
- Explosives – 1 x 5 tonne truck per month;
- Diesel – 1 x 10 tonne truck per month;
- Reagents – 4 trucks per year;
- Mill Balls – 8 Trucks per year; and
- Other supplies – 2 deliveries a week.

Decommissioning Phase – Not applicable currently but details outlined in the TMP

Construction Phase

HGV:

- Low loaders - 15 movements in relation to

along with other site wide operational changes.

The National Park temporarily agrees, **until 30/09/2022**, the removal of the mini bus for covid related reasons. This decision can be reviewed at that stage but will only be extended if a meaningful effort has been made to resolve the overall deviations from the permission as originally granted, including a completed pre-application having been made and evidence of a forthcoming comprehensive submission (email A Unitt/ DAL, SCL 21.06.22). Minibus still not in use

A section 42 application is pending from SCL to address both Condition 14 (hours of working) and Condition 20 (traffic management plan)

Then there is the fact that Scotgold has been going ahead new developments on the site of the mine without planning permission:

Refer to PC17

There are currently a number of unauthorised structures, plant and ancillary above ground elements. Refer to [PC17](#) and [PC17 Authorisation Tracker](#) for further details.

Not in compliance

Even more significantly Scotgold have also been trying to get the LLTNPA to relax planning conditions designed to protect the natural environment.

Instead of completing the “shear key” for Stack 2 before use, Scotgold asked the LLTNPA permission to deposit tailings when it had only be partially constructed::

March 2023:-

SGZ submitted KP Technical Note to support SGZ request for a phased approach to deposit tailings at Stack 2. Internal Stack sections have been awarded SK numbers to allow detailed proposals for each area. Phased approach would allow deposit of Tailings while the shear key is still being constructed; initial Tailings placement would be between the shear key and existing settlement pond No. 1 (previously pond No. 2). Details/ location for mine rock storage was also given.

The shear key is the base that is designed to hold the tailings above together and stop them sliding.. This was an obvious cost cutting measure but the LLTNPA agreed. It is not clear from the report what consideration the LLTNPA gave to those risks but if Scotgold failed to complete the shear key before laying off staff, both the risks and the costs are likely to fall to the public sector.

Given the risks it is extraordinary that the Monitoring Report also shows that the LLTNPA had agreed that the detailed stack inspections conducted by experts could be reduced to once every six months:

Last Quarterly inspection of Stack 1 was carried out. It was agreed that inspections on Stack 2 would be every 6 months, and the results of testing passed on to Geotech PMO and the NPA every six months. (Email A Williamson 26.07.22) Agreed that after 3 inspections of Stack 2 (shear key/prior to placement of tailings/initial inspection plus two further visits) the frequency of inspections can be reviewed again.



This appears a reckless decision but Scotgold has been awarded a green traffic light!

The only reduction in monitoring proposed by Scotgold where the LLTNPA did show some concern was when they proposed visits by the Landscape Clerk of Works should be reduced in frequency and limited to the summer months:

March 2023:-

NPA concerned that change of schedule for LCoW visits to focus on growing season might result in greater intervals between visits with loss of oversight/ familiarity with other landscape aspects. NPA advise that any change to the frequency of the inspection schedule should be proposed via an update to the Site Visit/ Reporting Schedule under this PC. NPA enquire when the Monitoring Report October-December 2022 (Q14) will be submitted (email AW/ RL 01.03.23).



Instead of simply saying NO, however, the LLTNPA told Scotgold to go away and make a proposal through the Site Visit/Reporting Schedule.

All this raises serious questions of just whose interests the National Park Authority is serving? The primary duty of the LLTNPA has never been to keep private companies in business, it was supposed to be about protecting the natural environment. At Cononish the rot set in when Owen McKee, the Convener of the Planning Committee who steered the LLTNPA's U-turn on the goldmine, started trading in Scotgold's shares ([see here](#)) and while Gordon Watson, who is now Chief Executive, was head of planning.

What needs to happen

On Thursday the Scottish Government announced it was inviting local communities to bid to become Scotland's new National Park. The news release quoted Lorna Slater ([see here](#)), the Minister

responsible for National Parks, “visiting the Lomond and Trossachs National Park” and Dr Heather Reid, the Convener of the LLTNPA.

“Scotland’s National Parks are among our greatest assets. They are home to internationally renowned landscapes and nature, and provide outstanding opportunities for recreation and local communities. – They also play a crucial role in tackling climate change and protecting our precious natural environment for future generations.” (Lorna Slater)

Lorna Slater appears completely unaware of what is really going on in the Loch Lomond and Trossachs National Park, for example the environmental damage being done by industrial forestry. She has visited the National Park several times but each time is closely chaperoned by park officials and taken to selected sites where they can claim they have been doing something. She would be far better visiting places like the Cononish goldmine, Cowal ([see here](#)) or the Rest and Be Thankful. She might then develop an understanding of the many failures of our National Parks and put in place measures to reform them. That should be a much bigger priority than creating new ones.

Now over to Dr Reid:

“Biodiversity is declining faster than at any time in human history and together with the climate emergency, these twin crises are already having an impact on the country our children and grandchildren will inherit.

“The people, communities and natural assets of Scotland’s National Parks – existing and future – can contribute significantly to Scotland’s efforts to restore nature, tackle climate change and have greener economic growth.”

I doubt Dr Reid ever saw the news release because as a meteorologist – Heather the weather – she will know about the Earth Summit in Rio (1992) and all the other conferences that have been warning governments and providing evidence of the impacts for thirty years and more. The claim that the climate and nature crises “are already having an impact” comes from senior management at the LLTNPA – its been used in other park spin. They are keen portray these issues as being new so no one holds them to account for the National Park Authority’s failure to do anything meaningful about them for almost twenty years. (The LLTNPA actually did some quite important work on these issues in its early days but that has long been swept under the carpet by the present regime).

The fact that Dr Reid allowed this misleading statement to go out in her name, however, points to the challenge and the need for reform. It is staff, not board members, who are in control in the LLTNPA. It is those staff who have told Dr Reid that the Cononish goldmine is an operational issue and not for the board. In accepting that she has made a mistake but its not too late for her to asset her right and those of other board members to start acting like board members again.

An emergency board visit to Cononish, without staff, might be a start. Forgot all the technicalities, if it looks good, it probably is good, they can publish their photos and I will eat humble pie. But if it looks bad they need to act.

Category

1. Loch Lomond and Trossachs

Tags

1. Governance
2. LLTNPA
3. natural environment
4. planning

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