

EXHIBIT NL-9

734.405
92/04/08

ENVIRONMENTAL COMPLIANCE SCHEDULE

BUCHANS CO-TENANCY

NOVEMBER 25, 1991

1.0

OBJECTIVES OF THE PROGRAM

This agreement between the BUCHANS CO-TENANCY, Environment Canada and the Newfoundland Department of Environment & Lands details an environmental compliance program to be undertaken by the owners, ASARCO Inc. and Abitibi-Price Inc., at the now abandoned Buchans operation. The objectives of this program are:

- 1) To protect the water quality and aquatic life of Buchans Brook, Red Indian Lake and the Exploits River.
- 2) To comply with the federal Fisheries Act and Metal Mining Liquid Effluent Guidelines, made pursuant to Section 36 of that Act, and the Newfoundland Environmental Control (Water and Sewage) Regulations, 1980. (For the purposes of this Compliance Schedule, compliance with the concentration limits of the parameters listed in the above-mentioned Water and Sewage Regulations will be determined by the average monthly concentration of each parameter in each effluent).
- 3) To establish and undertake environmental monitoring and evaluation programs.

2.0

EFFLUENT TREATMENT

Objective: To reduce total metal concentrations of mine effluents discharging into Buchans Brook from existing levels to comply with the federal Metal Mining Liquid Effluent Guidelines and the Newfoundland Environmental Control (Water and Sewage) Regulations, 1980, as per paragraph 1.02) above. (The Objective).

2.1

Lucky Strike Glory Hole

- a) By March 31, 1992, to have investigated, by hydrological and/or other means, to determine whether significant concentrations of heavy metals are migrating from the Lucky Strike Glory Hole to Buchans Brook, and to have filed a plan for periodic reassessment as the water level rises in the glory hole.
- b) By December 31, 1992, to have treated the standing water in the glory hole, if necessary, based on the above.
- c) Thereafter, to repeat the treatment of this standing water, if necessary.

2.2

Old Mine Drainage Tunnel

- a) By March 31, 1992, to have assessed the problem of the old mine drainage tunnel/Lucky Strike glory hole.
- b) In 1992, and thereafter to take remedial action as dictated by the hydrological and/or other investigations.
- c) To achieve the Objective by December 31, 1995.

2.3

Oriental Pits

- a) By December 31, 1991, to have obtained, through experimentation and field testing, the parameters for a scale-up of the WETLANDS/ARUM Treatment System.
- b) By December 31, 1992, to have completed the monitoring and field testing required to confirm the predictions of performance for the system.
- c) By December 31, 1993, to have scaled-up and completed installation of the System.
- d) By December 31, 1994, to have carried out such modifications or extension to the System, as necessary, and, to achieve the Objective.

2.4

Tailings Ponds

- a) By December 31, 1991, to have completed a report on the stability of the dams at the two tailings ponds, vis a vis abandonment "in perpetuity", including recommendations for improvement to ensure same.
- b) By December 31, 1992, to have constructed the improvements indicated by 2.4 a) above, including the removal of the existing decant towers.
- c) By December 31, 1992, to have designed a full scale treatment system, such as the WETLANDS/ARUM Treatment System, for the tailings ponds effluents, as required to achieve the Objective.
- d) By December 31, 1993, to have completed the installation of the System.
- e) By December 31, 1994, to have carried out such modifications or extension to the System, as necessary, and, to achieve the Objective.

3.0 MONITORING AND EVALUATION

Objective:

- a) To provide measurements of effluent discharges to Buchans Brook and assess compliance with the requirements of this Compliance Schedule, and
- b) to determine if these improvements are adequate to protect the aquatic life of Buchans Brook and downstream waterbodies - specifically, to determine the progress being made towards achieving the Canadian Water Quality Guideline for zinc of 0.03 mg/l, as measured in the Buchans River, at the highway bridge.

3.1 Effluents

There are currently four known (surface) drainage discharges from the old Buchans workings.

- Tailings Pond No. 1
- Tailings Pond No. 2
- Old Mine Drainage Tunnel (OMDT)
- Oriental East Pit

Until the final installations are complete, each discharge shall be monitored for the following at the indicated (minimum) frequency:

- | | |
|--------------------|--------------------------------|
| a) Flow rate | - Weekly |
| b) pH | - Weekly |
| c) Zinc | - Weekly |
| d) Copper | - monthly |
| e) Lead | - monthly |
| f) Acute lethality | - yearly (static 96 hour LC50) |

Monitoring at Tailings Pond No. 1 and Tailings Pond No. 2 may be omitted during the freeze-up period, January 1 to May 15.

Final monitoring locations shall be determined by mutual agreement at the completion of the installations.

Upon completion of the final installations, a revised monitoring regime may be determined by mutual agreement.

Metal analyses shall be conducted in accordance with the "Metal Mining Liquid Effluent Regulations and Guidelines" Report EPS 1-WP-77-1, April 1977, and "Standard Methods for the examination of Water and Wastewater", most recent edition. Acute Lethality determination shall be conducted in accordance with "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to Rainbow Trout", Report EPS 1/RM/13, July 1990.

3.2 Buchans Brook

Samples from Buchans Brook shall be taken monthly and analyzed for copper, lead and zinc at the following locations:

- 1) Immediately downstream from the hydro power plant.
- 2) At the highway bridge (i.e. downstream of all known inputs from the old Buchans workings).

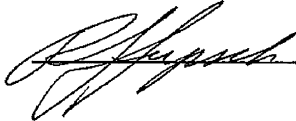
3.3 Reporting Practices

- a) Quarterly reports on the monitoring program described in paragraphs 3.1 and 3.2 above shall be submitted to Environment Canada and the Newfoundland Department of Environment and Lands (NDEL). The report for each calendar quarter will be due 30 days after the end of that quarter. The first report will be for the first quarter, 1992.
- b) Each fourth quarter report (ie. for the period October 1 - December 31) shall include a summary of the year's discharges, including an estimate of the total zinc discharged to the environment from all sources during the calendar year. It shall also include a report on the progress made towards reaching the end goals of this Environmental Compliance Schedule.

4. This Environmental Compliance Schedule shall not preclude Environment Canada or the Newfoundland Department of Environment and Lands from requiring additional and/or improved environmental controls in the event of

- 1) Any resumption of mining activities at the site, or
- 2) Changes in or additions to any relevant government legislation including the Metal Mining Liquid Effluent Regulations and Guidelines or the Environmental Control (Water and Sewage) Regulations, 1980.

BUCHANS CO-TENANCY

 DATE: 1/2/92

ATTEST:

Witness: C. D. Gonzalez
Assistant Secretary

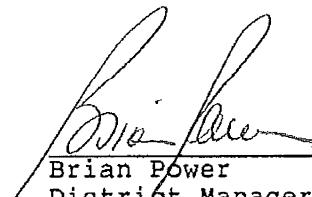
ASARCO Incorporated

 DATE: 20/3/92

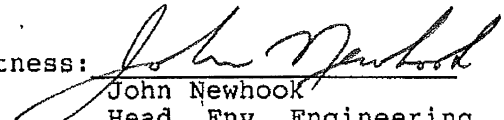
Witness:

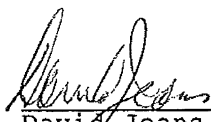
B. 3. Young

Abitibi-Price Inc.

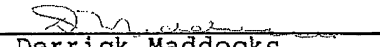
 DATE: 25/11/91
Brian Power
District Manager
Environment Canada, EP/Nfld

Witness:


John Newhook
Head, Env. Engineering
Environment Canada,
EP/Nfld

 DATE: 9/1/92
David Jeans
Assistant Deputy Minister
Nfld Dept. of Environment & Lands

Witness:


Derrick Maddocks
Director, IEED
Nfld Dept. of Environment
& Lands