



Date: August 5, 2014

File: 107461

MOUNT POLLEY MINING  
CORPORATION  
SUITE 200  
580 HORNBY ST  
VANCOUVER, BC  
V6C 3B6

### **POLLUTION ABATEMENT ORDER**

I have reasonable grounds to believe that pollution is being caused by the discharge of mine tailings from the tailings storage facility at the Mount Polley Mine site into the environment. The discharge is occurring from a property located approximately 5 kilometers southeast of Likely, BC and is legally described as Mineral Claim CB-20, Cariboo Mining Division, Cariboo Land District, owned and/or operated by MOUNT POLLEY MINING CORPORATION.

It has been reported to the Ministry of Environment that on Monday, August 4, 2014 mine tailings escaped an impoundment facility via a dam breach on the above-mentioned property. Further investigation has revealed that a significant volume of materials have left the property and impacted Polley Lake, Hazeltine Creek and Quesnel Lake.

Pursuant to Section 83 of the *Environmental Management Act* [SBC 2003] Chapter 53, MOUNT POLLEY MINING CORPORATION is hereby ordered to comply with the following requirements:

1. Immediately take action, under the direction of a suitably qualified professional, to abate the discharge of mine-affected materials and sediments from the impoundment facility, and specifically into Polley Lake, Hazeltine Creek and Quesnel Lake. A written summary of actions taken must be submitted to the Director on August 13, 2014
2. Immediately retain a suitably qualified professional to initiate a preliminary Environmental Impact Assessment (EIA) and provide the name of the qualified professional to the Director for approval by August 6, 2014.
3. Retain a suitably qualified professional to initiate a comprehensive Environmental Impact Assessment (EIA) and provide the name of the qualified professional to the Director for approval by August 13, 2014.

4. Upon completion of the preliminary EIA, immediately implement clean up activities, mitigation measures and management actions as required by the EIA.
5. Upon completion of the comprehensive EIA, immediately implement clean up activities, mitigation measures, site restoration and management actions as required by the comprehensive EIA.
6. Based on the preliminary EIA, develop and submit to the Director by August 6, 2014 for approval, an Action Plan detailing measures relative to the preliminary EIA to be taken to:
  - a. Characterize the materials that were released into the receiving environment (including their expected behaviour in the receiving environment, settling rates, etc.);
  - b. Recover or otherwise manage mine-affected materials and sediments currently in the receiving environment;
  - c. Mitigate residual risks to the environment;
  - d. Assess and monitor the impacts and risks posed by the mine-affected materials and sediments currently in the receiving environment, as well as from the recovery and management efforts themselves; and
  - e. Report on the implementation of Action Plan measures on a weekly basis to regulatory agencies and stakeholders.
7. Based on the comprehensive EIA, develop and submit to the Director by August 15, 2014 for approval, an Action Plan detailing measures relative to the comprehensive EIA to be taken to:
  - a. Fully characterize the materials that were released into the receiving environment (including their expected behaviour in the receiving environment, settling rates, etc.);
  - b. Fully recover or otherwise manage mine-affected materials and sediments currently in the receiving environment;
  - c. Define Site mitigation and/or mitigate residual risks to the environment;
  - d. Assess and monitor the impacts and risks posed by the mine-affected materials and sediments currently in the receiving environment, as well as from the recovery and management efforts themselves; and
  - e. Report on the implementation of Action Plan measures on a weekly basis to regulatory agencies and stakeholders

8. Prepare and submit a formal written update by September 15, 2014. The update report is to include at a minimum:
  - a. A list of all other qualified professionals who contributed to the report, and a summary of their qualifications;
  - b. A summary of the preliminary EIA and results;
  - c. A summary of the comprehensive EIA and results;
  - e. A description of clean up activities, mitigation measures, site restoration and management actions that were implemented as a result of the preliminary and comprehensive EIA;
  - f. Recommendations for additional mitigation and restoration measures, if appropriate; and
  - g. A proposed ongoing monitoring program.

Failure to comply with the requirements of this order is a contravention of the *Environmental Management Act* and may result in legal action. I direct your attention to Section 120(10) of the *Environmental Management Act*, which reads:

*“(10) A person who contravenes an order...that is given, made or imposed under this Act by a ...director...commits an offence and is liable on conviction to a fine not exceeding \$300 000 or imprisonment for not more than 6 months, or both.”*

Failure to comply with the requirements of this order may also result in an administrative penalty under the *Administrative Penalties Regulation (Environmental Management Act) (B.C. Reg 133/2014)* (Regulation). I direct your attention to Section 12(4) of the *Regulation*, which reads:

*“(4) A person who fails to comply with an order under the [Environmental Management] Act is liable to an administrative penalty not exceeding \$40 000.”*

This order does not authorize entry upon, crossing over, or use for any purpose of private or crown lands or works, unless and except as authorized by the owner of such lands or works. The responsibility for obtaining such authority rests with you. It is also your responsibility to ensure that all activities are carried out with due regard for the rights of third parties, and comply with other applicable legislation that may be in force, such as municipal bylaws relating to the discharge of waste to municipal storm or sanitary sewers.

This decision may be appealed to the Environmental Appeal Board in accordance with Part 8 of the *Environmental Management Act*. An appeal must be delivered within 30 days from the date notice is given. For further information, please contact the Environmental Appeal Board at (250) 387-3464.

If you have any questions, please call the undersigned or Jack Green at (250) 398-4544.

Yours truly,



Hubert Bunce  
for Director, Environmental Management Act  
Vancouver Island Region

cc: Environment Canada  
Al Hoffman, Chief Inspector, Ministry of Energy and Mines  
Dale Reimer, Mine Manager  
Colleen Hughes, Environmental Coordinator