



Date: Dec 30, 2016

File: 107461

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

REGISTERED MAIL

POLLUTION ABATEMENT ORDER AMENDMENT

I have reasonable grounds to believe that pollution is being caused in the receiving environment as a result of the tailings storage facility breach incident that occurred on August 4, 2014 at the Mount Polley Mine. The incident occurred from a property located approximately 7 kilometers southwest of Likely, BC and is legally described as Mineral Claim 514039, Cariboo Mining Division, Cariboo Land District, owned and/or operated by MOUNT POLLEY MINING CORPORATION (MPMC).

This order amends Order 107461 issued August 5, 2014 and last amended Nov. 30 2016.

Pursuant to Section 83 of the Environmental Management Act, MOUNT POLLEY MINING CORPORATION is hereby ordered to comply with the following amended requirements:

1.0 Post Environmental Impact Assessment Report

Further to the amendment of Order 107461 dated May 27, 2015, section 1.0 of which required the annual submission of a Post Event Environmental Impact Assessment Report (PEEIAR) by December 31st of each year, this amendment rescinds the requirement for submission of an annual PEEIAR. The monitoring and reporting previously required under this Order will now be included as part of the annual Comprehensive Environmental Monitoring Plan (CEMP) and the associated Annual Reporting required under section 3.2 and section 3.9 respectively of *Environmental Management Act* Permit 11678 (issued Sept. 19, 2016).

2.0 Additional Provisions

- (a) Every requirement of this Order must be carried out to the satisfaction of the Director.
- (b) Subject to the conditions at the site, the Director may require additional action, as deemed necessary by the Director, to protect human health and the environment.

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.

Yours truly,



Hubert Bunce

for Director, *Environmental Management Act*
Environmental Protection Division

cc: Environment Canada
Diane Howe, Deputy Chief Inspector of Mines, Ministry of Energy and Mines
Dale Reimer, Mine Manager, Mount Polley Mining Corporation
Aaron Higginbottom, Natural Resources Manager, Williams Lake Indian Band
Georgia Bock, Natural Resources Manager, Xatsull Indian Band
Lyn Anglin, Chief Science Officer, Mount Polley Mining Corporation
Colleen Hughes, Environmental Coordinator, Mount Polley Mining Corporation
Luke Moger, Project Manager, Mount Polley Mining Corporation
Doug Hill, Director Mining, Environmental Protection