

How are Placer Mines regulated in B.C.?

Environmental Management Act (the EMA)

- ENV's mandate is to ensure the protection of the environment and human health.
- Any wastewater discharges to a waterbody from placer mining activities are considered waste discharges and are regulated by the Ministry of Environment and Climate Change Strategy (ENV) under the authority of the *Environmental Management Act* (the EMA).
- The Placer Mining Waste Control Regulation (PMWCR) is a specific regulation made under the EMA to regulate waste discharges from placer mines.
- The PMWCR includes several conditions for the management of wastewater discharges from mining operations.
- If ALL conditions in the PMWCR are fully met, the mine is exempt from requiring an EMA permit.
- If any of the conditions in the PMWCR are NOT fully met, the mine must obtain an EMA permit for the waste discharges (e.g., sediment laden wastewater).
- In other words, compliance with the EMA for placer mine operations can be achieved two different ways:
 1. Meet ALL of the requirements set out in the PMWCR; or
 2. Obtain a permit under the EMA (see information below).

Mines Act

- Placer mine activities (e.g., health, safety and reclamation) are regulated by the Ministry of Energy, Mines and Low Carbon Innovation (EMLI) under the authority of the *Mines Act* and the accompanying Health, Safety and Reclamation Code for Mines in British Columbia.
- All placer mines must apply for a *Mines Act* permit prior to conducting any mechanized activities, including exploration and access construction, at the mine.
- Certain handwork mining activities do not require a permit under the *Mines Act*. Permissible activities without a *Mines Act* permit are outlined in [Information Update No. 38](#).

Water Sustainability Act (WSA)

- Surface and ground water resources (e.g., streams and waterbodies) are regulated by the Ministry of Forest, Land, Natural Resource Operations and Rural Development (FLNRORD) under the authority of the *Water Sustainability Act* (WSA) and the Water Resources Sustainability Regulation (WSR).
- The WSR stipulates requirements for the use of water for the placer mining activities (e.g., must hold a *Mines Act* permit, must not divert water from a designated sensitive stream).
- If required, a permit may be issued under the WSA.

Note: the ENV, EMLI and FLNRORD regulatory and application processes are all separate and all three must be followed, as applicable. For more information on the interaction of the ministries and permit requirements please refer to the [Mining Operations Fact Sheet \(PDF\)](#)

Background - Placer Mining Waste Control Regulation

- The PMWCR was first introduced in 1989 and amended in May 2021.
- The PMWCR was amended in May 2021 to remove the wording that allowed mines that were located on 11 creeks, previously named in the regulation, to discharge waste without requiring an EMA permit. These 11 named creeks are located in the Atlin and Dease Lake area in northwestern B.C.
- The PMWCR was amended to ensure that all placer mines across B.C. are subject to the same requirements (i.e., a level playing field) for wastewater discharges and to ensure the protection of water sources and fish habitat.

How to obtain a permit?

- Information on the EMA permit application process is outlined on the B.C. Government website: [Waste Discharges Authorizations](#)
- Information about the *Mines Act* permit application process is outlined on the B.C. Government website: [Front Counter B.C.](#)
- Information on the WSA permit application process is outlined on the B.C. Government website: [Water Licences & Approvals](#)
- ENV, EMLI and FLNRORD staff are also available to provide direction.
- More general information on placer mining in B.C. can be found in the [BC Placer Mining Best Management Practices Technical Guide \(EMLI\)](#)

What happens if a placer mine is not in compliance?

- Ensuring compliance with its regulatory requirements is one of the B.C. Government's principal objectives. This is achieved through the use of a variety of compliance and enforcement tools, giving consideration to using the most appropriate tool necessary to obtain compliance, and when required, to promote general deterrence.
- A risk-based assessment is used to ensure a consistent response to non-compliance. Serious or repeat offences may result in administrative penalties or investigation and prosecution in the court system:
 - The [Administrative Penalties \(EMA\) Regulation](#) allows for fines of up to \$75,000 each day that non-compliance with the EMA, including permits and regulations, occurs.
 - The [Administrative Penalties \(Mines\) Regulation](#) has various fines for contraventions of the *Mines Act*, Health, Safety and Reclamation Code for Mines in British Columbia, and/or permit. For example, the maximum fine is \$500,000 for failure to have a permit.

Anyone directly impacted by placer mining activities can contact:

24-hour Spill/Environmental Emergency Reporting:

1-800-663-3456 (Provincial Emergency Program)

24-hour RAPP (Report All Poachers and Polluters) tip-line:

1-877-952-7277 (Conservation Officer Service)