



Report Date: May 04, 2017

File: 14590

Report Number: 053288

Mount Polley Mining Corporation

PO Box 12
Likely, BC
V0L 1N0

Dear Mount Polley Mining Corporation

Re: Warning Letter, Permit, 14590

On April 12, 2017, Ministry of Environment, Environmental Protection Division staff conducted an inspection under *Environmental Management Act (EMA)*, 14590. The inspection determined that Mount Polley Mining Corporation is out of compliance with its Permit 14590, and the section(s) listed below. This Warning Letter lists the compliance verification information contained below.

Failure to comply with the requirements set out in your Permit is an offence under the *Environmental Management Act (EMA)*. Section 120(7) of *EMA* states as follows:

120(7) A person who, holding a permit or approval issued under this Act to introduce waste into the environment, fails to comply with the requirements of the permit or approval commits an offence and is liable to a penalty not exceeding \$300 000 or imprisonment for not more than 6 months, or both.

It should also be noted that, as an alternative to prosecution of the offence referenced above, the Ministry may initiate action to impose an administrative penalty against Mount Polley Mining Corporation. *The Administrative Penalties Regulation (EMA)* (B.C. Reg. 133/2014) (APR) was brought into force in 2014. The APR describes the prescribed provisions of the EMA as well as that of specified regulations under which administrative penalties can be assigned. Section 12(5) of the APR states as follows:

12(5) A person who fails to comply with a requirement of a permit or approval issued or given under the Act is liable to an administrative penalty not exceeding \$40 000, unless the requirement the person failed to comply with is also a prescribed provision of the EMA or the regulations that is subject to a different maximum administrative penalty.

If you fail to take the necessary actions to restore compliance, you may be subject to escalating enforcement action. This Warning Letter and the alleged violations and circumstances to which it refers, will form part of the compliance history of Mount Polley Mining Corporation and will be taken into account in the event of future violations.

Finally, I request that Mount Polley Mining Corporation immediately implement the necessary changes or modifications to correct the non-compliance(s) with the *Environmental Management Act*. Further, I request that Mount Polley Mining Corporation notify this office in writing by email or letter within 30 days of this letter, advising what corrective measures have been taken, and what else is being done, to prevent similar non-compliances in the future.

Inspection Details:

Requirement Description:	1. Authorized Discharges 1.1.2: The characteristics of the discharge shall be paper, cardboard, plastic, wood, rubber, and metal. This permit does not authorise the disposal of putrescible waste.
Details/Findings:	Although the majority of the waste on site was authorized, I did observe a used fuel filter (see Figure 1) and a few empty litre containers of oil. A large pool of water had collected in one area of the landfill, which had waste material floating in it. There was an oily sheen on the surface of the water at the downwind end of the pool (see Figure 2).
Compliance:	Out

Actions to be taken:	
Requirement Description:	<p>2. General Requirements 2.3 Landfill Operation</p> <p>2.3: The Permittee shall maintain the landfill and apply cover material at least once per month. The Regional Waste Manager may vary the frequency of covering or issue specific operating instructions when circumstances affect normal operation. Refuse shall not be allowed to obstruct drainage works at the site.</p>
Details/Findings:	Since the inspection in June 2016, efforts have been made to reduce the size of the slope. Part of the landfill (including the slope) appears to have been filled and permanently covered. The remaining active area has been lowered, reducing the extent of the slope. A large hole has been excavated to the rear of the landfill, which following freshet, has filled with water. At the time of the inspection, waste was observed floating in the water and an oily sheen was evident at the downwind end of the pond (see Figure 2). Though the slope was smaller, the waste at the open face of the slope had not been covered (this issue was raised as part of the June 2016 inspection - IR28991) . At the time of the inspection, the landfill could not be considered to have been adequately maintained.
Compliance:	Out
Actions to be taken:	Provide an action plan, including timeline, detailing planned measures to address the issues of cover application and standing water at the site. Once the issues have been addressed, please provide photographic records of the improvements.
Requirement Description:	<p>2. General Requirements 2.5 Site Preparation and Restoration</p> <p>2.5: Provision of fencing, site access, vehicle safety barriers, surface water diversionary works, firebreaks and site restoration as required, shall be carried out to the satisfaction of the Regional Waste Manager.</p>
Details/Findings:	While some of the water in the newly excavated hole will have resulted from snowmelt in the immediate area, the surface water diversion works appeared insufficient to prevent surface run-off from entering the site. The excavated area is lower lying than much of the area surrounding it and without adequate surface water diversion works, has filled with water (see Figure 2).
Compliance:	Out
Actions to be taken:	
Requirement Description:	<p>2. General Requirements 2.6 Segregation of Recyclable Materials</p> <p>2.6: The Permittee shall segregate in a separate area and recycle uncontaminated: metals greater than 5kg, paper, cardboard, and tires of less than or equal to 16.5 inch rim size. All recyclable waste shall be removed from the site before mine closure. The Regional Waste Manager my add more materials to the list of recyclable materials if practical means for recycling new materials develop.</p>
Details/Findings:	Metals greater than 5 kg are segregated from the waste stream and stockpiled near to the Molybdenum Plant. Containers for waste paper and cardboard have been located at the office building, the pit shop and the warehouse.
Compliance:	In
Actions to be taken:	
Requirement Description:	<p>2. General Requirements 2.7 Putrescible Wastes</p> <p>2.7: All putrescible waste stored outdoors shall be contained at the site in bear proof containers and transported off site for disposal to a site authorised for disposal of municipal waste.</p>
Details/Findings:	No putrescible waste was observed at the landfill site, at the time of inspection. Putrescible waste is stored in a bear proof container near the administration building, before transportation off site for disposal.
Compliance:	In
Actions to be taken:	

COMPLIANCE HISTORY

2016-06-14 - IR28991 - Onsite inspection. Advisory of Non-Compliance. Failure to provide cover as required.
2012-10-11 - IR6630 - Onsite inspection. Advisory of Non-Compliance. Unauthorized waste on site (putrescible) and failure to segregate recyclable material.

Please be advised that this inspection report may be published on the provincial website within 7 days.

Below are attachments related to this inspection.

If you have any questions about this letter, please contact the undersigned.

Yours truly,

Jack Green

Environmental Protection Officer

cc: Jason Bourgeois, Compliance Section Head, Environmental Protection.
Conservation Officer Service

Attachments:

1) 2017-04-12 PR14590 MPMC Inspection Photos.pdf\\Inspection
Photos

Deliver via:

Email: Fax:

Mail:

Registered Mail: Hand Delivery:

Ministry of Environment	Compliance Environmental Protection Division	Mailing Address: 400-640 Borland St Williams Lake BC V2G 4T1	Telephone: 250 398 4530 Facsimile: 250 398 4214 Website: www.gov.bc.ca/env
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DISCLAIMER:

Please note that sections of the permit, regulation or code of practice referenced in this inspection record are for guidance and are not the official version. Please refer to the original permit, regulation or code of practice.

To see the most up to date version of the regulations and codes of practices please visit
<http://www.bclaws.ca>

If you require a copy of the original permit, please contact the inspector noted on this inspection record or visit:
<http://www2.gov.bc.ca/gov/topic.page?id=DF89089126D042FD96DF5D8C1D8B1E41&title=Publically%20Viewable%20Authorizations>

It is also important to note that this inspection record does not necessarily reflect each requirement or condition of the authorization therefore compliance is noted only for the requirements or conditions listed in the inspection record.

Ministry of Environment - Photo Record Sheet

PR14590	Mount Polley Mining Corporation
April 12, 2017	Mount Polley Mine

Figure 1. Fuel filter disposed of in the landfill. This is considered hazardous waste and is not authorised for disposal at this site.



Figure 2. Since the last inspection on 14 June 2016, an area has been excavated to the rear of the site. Following freshet, this hole has filled with water and waste material was observed floating in it. An oily sheen was evident at the downwind end of the pool.



Document : 2017-04-12 PR14590 MPMC Inspection Photos.pdf

Document comment: Inspection Photos