



Date: May 27, 2015

File: 107461

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

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.

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

1.0 Post-Event Impact Assessment Report

- (a) The Post-Event Environmental Impact Assessment Report must be submitted by June 5th, 2015
- (b) Additional post-event impact assessments must be submitted. These include, but are not limited to: vegetation sampling and plant exposure and uptake of contaminants; benthic community sampling; habitat impacts (i.e. lake bottom, creek habitat and terrestrial riparian areas) ; zooplankton community; follow-up sampling for phytoplankton and chlorophyll a; benthos impacts.
- (c) For the additional work undertaken in (b), provide progress reports submitted annually to the Director with the first one due December 31, 2015.

2.0 Delineation of Mine Affected Material and Sediment

- (a) Include, in the annual report referenced in Section 1.0 (c) of this Order, a report delineating the extent of mine affected materials and sediment in the environment.

3.0 Reporting

Maintain water sample analysis, flow measurements and water balance, quality assurance data and field measurement data collected in accordance with the 2015 Post TSF-Breach Monitoring Plan and subsequent Post TSF-Breach annual monitoring plans, for inspection and submit the data, suitably tabulated (for submission to the provincial EMS as noted below), to Director Environmental Protection, once every three months. All reports must be submitted within 45 days of the end of the three month period during which the data was collected. The sample analysis data and field measurement data must be submitted in an electronic format suitable for entry into the provincial database system known as EMS. The first report must be submitted by August 15, 2015

4.0 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
Vancouver Island Region

cc: Environment Canada
Al Hoffman, Chief Inspector of Mines, Ministry of Energy and Mines
Dale Reimer, Mine Manager, Mount Polley Mine Corporation