



Date: January 19, 2017

File: Order 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 December 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 Ecological Risk Assessment

Further to submissions from Mount Polley Mining Corp. (MPMC) and consultants working on behalf of MPMC, dated January 6, 2017 it has been determined that in order to allow for submission of a more comprehensive Ecological Risk Assessment (including risk assessments for each of the impacted terrestrial and aquatic environments) the deadline for submission is hereby amended from March 31, 2017 to April 30, 2017. The requirement to complete an Ecological Risk Assessment is in partial fulfillment of Section 7 d) of Order 107461.

Ministry of Environment

Regional Operations

Mailing Address:
400 – 640 Borland Street
Williams Lake BC
V2G 4T1

Telephone: 250 398-4530
Facsimile: 250 398-4214
Website:
www.gov.bc.ca/env

2.0 Reporting

Section 7 e) of this Order requires the monthly reporting to regulatory agencies, First Nations and stakeholders on the implementation of measures outlined in the Action Plan originally submitted August 15, 2014.

In addition to monthly reporting, MPMC must 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, 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.

A copy of the quarterly reports, and all other reports required to be submitted as a condition of this Order, must be provided to all regulatory agencies, First Nations and stakeholders within 15 days of submission to the Director.

Regulatory agencies, First Nations, and stakeholders must include the following: Ministry of Energy and Mines; Forests, Lands and Natural Resource Operations; Environment Canada; Fisheries and Oceans Canada; Xatsull First Nation, Williams Lake Indian Band, Lhtako First Nation, Tsilhqot'in National Government, Cariboo Regional District, and Likely and District Chamber of Commerce.

3.0 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:

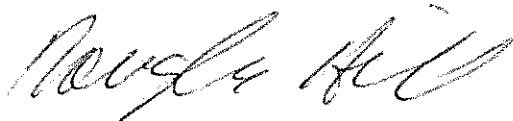
“(4) A person who fails to comply with an order under the [Environmental Management] Act is liable to an administrative penalty not exceeding \$40 000.”

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,



Douglas Hill, P.Eng.
for Director, *Environmental Management Act*
Mining Operations

cc: Environment Canada, Vancouver BC
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
Leslie Payette, Compliance Operations Manager, Ministry of Environment

