Mining Compliance & Enforcement 2017/18 Annual Report
And
2018/19 Operational Plan

The Mining Compliance & Enforcement Strategic Plan sets out the joint vision for mining oversight in the province of British Columbia guiding the actions of Ministry of Energy, Mines and Petroleum Resources (EMPR), Ministry of Environment and Climate Change Strategy (ENV) and the BC Environmental Assessment Office (EAO):

Achieving enhanced protection of the environment, human health and public safety through an integrated risk-based approach to mining oversight.

The Strategic Plan sets out five Strategic Objectives for mining oversight:

1. Integrate a risk-based approach and coordinate resources across the sector
2. Increase public confidence in how government manages mining across the province
3. Strengthen linkages between mining C&E and Aboriginal groups
4. Promote compliance with regulatory requirements
5. Enhance policy, tools and training to support a comprehensive C&E program

This document reports on progress made in the 2017/2018 fiscal year as well as establishes actions and milestone for the coming year.

- Shows progress made in 2017/2018 fiscal year
- Shows new actions and milestones for 2018/2019 fiscal year
**Objective**
1. Integrate a risk based approach and coordinate resources across the sector

**Strategy**
A. Guide all mining C&E strategic and operational activities based on common risk management framework

### Key Actions to support strategy

<table>
<thead>
<tr>
<th>Actions</th>
<th>Key Milestones</th>
<th>Lead / contributions</th>
<th>Performance measures</th>
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</tr>
</thead>
<tbody>
<tr>
<td>1. Develop and implement a common risk framework</td>
<td>Explore common and agency specific roles and responsibilities for assessing and managing mining C&amp;E risks</td>
<td>ENV lead</td>
<td>Inter-agency staff workshop held by Q4 2017</td>
<td>Inter-agency workshop held in Q4 2016</td>
</tr>
<tr>
<td></td>
<td>Draft risk management framework for agency review</td>
<td>EMPR, EAO support</td>
<td>Risk framework completed Q1 2018</td>
<td>Workshops hosted with each agency in 2017</td>
</tr>
<tr>
<td></td>
<td>Present draft framework for DM Board review</td>
<td></td>
<td></td>
<td>Draft framework presented to Deputy Minister (DM) Board Q1 2018</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ENV lead</td>
<td>Risk register developed and reviewed by DM Board Q4 2018</td>
<td>New</td>
</tr>
<tr>
<td></td>
<td></td>
<td>EMPR, EAO support</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1 Q1 = Jan1-Mar31; Q2 – Apr1-Jun30; Q3 – Jul1-Sep30; Q4 – Oct1-Dec31

June 20, 2018
**Objective**

1. Integrate a risk based approach and coordinate resources across the sector

**Strategy**

B. Effectively coordinate on-the-ground activities for major mines

<table>
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<th>Key Actions to support strategy</th>
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<tr>
<td><strong>Actions</strong></td>
</tr>
<tr>
<td>1. Establish and implement a C&amp;E Coordination Committee for major mines</td>
</tr>
<tr>
<td>Coordinate inspections of major mines with EA certificates</td>
</tr>
<tr>
<td>2. Develop joint Natural Resource Compliance Management Framework (CMF), to guide how ENV, EMPR and EAO work along with other agencies to ensure compliance across BC</td>
</tr>
<tr>
<td>Draft of Natural Resource Compliance Management Framework</td>
</tr>
</tbody>
</table>
**Objective**

1. Integrate a risk based approach and coordinate resources across the sector

**Strategy**

C. Optimize human and financial resources to most effectively protect the environment, human health and public safety

### Key Actions to support strategy

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<tbody>
<tr>
<td>1. Produce an annual Mining C&amp;E Operational Plan with set actions, key milestones and performances measures that align with the Mining C&amp;E Strategic Plan</td>
<td>Draft of annual Mining C&amp;E Operational Plan</td>
<td>EMPR, ENV, EAO</td>
<td>Mining C&amp;E Operational plan published Q4 2017</td>
<td>Complete and available <a href="#">here</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2018/19 Mining C&amp;E Operational plan published Q2 2018</td>
<td>New</td>
</tr>
</tbody>
</table>

June 20, 2018
## Objective

2. Increase confidence in how government manages mining across the province

## Strategy

A. Ensure mining C&E activities are transparent and open to the public

### Key Actions to support strategy

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<tbody>
<tr>
<td>1. Develop a public information website for major mines in BC</td>
<td>Develop website (beta)</td>
<td>EMPR lead EAO, ENV support Technical support from Information Management Branch and Natural Resource Transformation Secretariat</td>
<td>Website operational with information from 15 major mines publically available Q1 2017</td>
<td>Complete BC Mine Information Website</td>
</tr>
<tr>
<td></td>
<td>Enhance website - increase functionality and expand information available on mines in BC</td>
<td>EMPR lead EAO, ENV support Technical support from Information Management Branch and Natural Resource Transformation Secretariat</td>
<td>Develop through ongoing continuous improvement and enhancements Launch Q1, 2018</td>
<td>5 mines added during fiscal 2017/18. Information on 20 mines now available Enhancements based on user engagement include: • Location search enabled within the map • Inspection types now visible at a glance (Compliance Oversight tab) Inspections sortable by date ascending/descending and by agency Pilot spatial data display for 2 mines on BC Mine Information website Q1 2019</td>
</tr>
<tr>
<td>2. Increase transparency of mining enforcement actions</td>
<td>Progressively expand violations database to include ENV, EAO &amp; EMPR enforcement actions (Natural Resource Compliance and Enforcement Database (NRCED))</td>
<td>ENV lead</td>
<td>NRCED site launch Q3 2018</td>
<td>New</td>
</tr>
</tbody>
</table>
**Objective**

2. Increase confidence in how government manages mining across the province

**Strategy**

B. Formalize risk management approach to potential mine reclamation liabilities

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<tr>
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<tbody>
<tr>
<td>1. Update reclamation security policy considering best practices in BC and other jurisdictions</td>
<td>Undertake independent review of BC and other jurisdictions’ reclamation securities practices</td>
<td>Contracted resources EMPR lead</td>
<td>Independent reviews complete and published Q1 2017</td>
<td>Independent reviews complete [Stantec report] [Ernst and Young report]</td>
</tr>
<tr>
<td>Draft reclamation security policy complete</td>
<td>EMPR</td>
<td>Updated reclamation security policy published Q1 2019</td>
<td>New</td>
<td></td>
</tr>
</tbody>
</table>
**Objective**

2. Increase confidence in how government manages mining across the province

**Strategy**

C. Explore use of a dedicated investigative unit

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<tr>
<td>1. Undertake assessment of EMPR's current investigative framework to determine need and options for a dedicated investigative unit</td>
<td>Hire investigators (on a temporary basis) to provide capacity to ongoing investigations and review investigative program</td>
<td>EMPR lead</td>
<td>Staff in place at EMPR Q3 2017</td>
<td>Complete</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Investigation unit in place Q2 2017</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Explore options for dedicated investigative unit</td>
<td>EMPR lead</td>
<td>Establish dedicated investigative unit Q1 2018</td>
<td>Complete - Investigation Unit established</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Permanent positions filled in 2017: 1 Director, Investigations 2 Sr. Investigators 1 Investigative Analyst</td>
<td></td>
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<tr>
<td></td>
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<td></td>
<td></td>
<td>Unit submitted 3 reports to Crown Counsel resulting in 11 charges under the Mines Act. Matters now before the court</td>
<td></td>
</tr>
<tr>
<td>2. Explore options for independent oversight unit</td>
<td>Develop options and recommendations for independent oversight unit</td>
<td>EMPR lead ENV, EAO support</td>
<td>Recommendations complete Q1 2019</td>
<td>New</td>
<td></td>
</tr>
</tbody>
</table>
### Objective
3. Strengthen linkages between mining C&E and First Nations

### Strategy
A. Increase opportunities for First Nations to engage during mining authorization

<table>
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<tr>
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<tbody>
<tr>
<td>1. Expand use of collaboration plans (agreements) with First Nations during environmental assessments and permitting processes</td>
<td>Offer to meet with government regulatory agencies and First Nations post authorization process to review the effectiveness of collaboration plans Consider lessons learned related to C&amp;E in future agreements or amendments</td>
<td>EMPR, EAO</td>
<td>Conduct review meetings post authorization to obtain feedback for future consideration Q1 2018 onwards</td>
<td>Collaboration plans implemented for Kemess Underground and Ajax mine processes. Review meeting undertaken with Tsay Keh Dene, Kwadacha First Nation and Takla Lake First Nation on Kemess</td>
</tr>
</tbody>
</table>
**Objective**

3. Strengthen linkages between mining C&E and First Nations

**Strategy**

B. Increase opportunities for First Nations to participate in compliance oversight of mines in BC

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<tbody>
<tr>
<td>1. Develop and offer opportunities for First Nations to participate in compliance oversight of mines</td>
<td>Provide opportunities to First Nations to participate in inspections through the NRS Aboriginal Liaison Program and other initiatives</td>
<td>EMPR, ENV, EAO</td>
<td>5 inspections of mines include participation by First Nations Q1 2018</td>
<td>New</td>
</tr>
<tr>
<td>Support participation by First Nations in mining C&amp;E through training and field mentoring</td>
<td></td>
<td>EMPR, ENV, EAO</td>
<td>Deliver at least 1 training session for First Nations to participate in mining compliance verification Q1 2018</td>
<td>Joint training delivered to NW and NE Aboriginal Liaison Program representatives and Tahltan in 2017</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Deliver at least 3 training sessions to First Nations representatives to support attendance on mine inspections Q1 2019</td>
<td>New</td>
</tr>
</tbody>
</table>
**Objective**

4. Promote compliance with regulatory requirements

**Strategy**

A. Ensure conditions of authorizations are clear, enforceable and complementary

<table>
<thead>
<tr>
<th>Key Actions to support strategy</th>
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</thead>
<tbody>
<tr>
<td>1. Establish common principles for drafting enforceable conditions</td>
<td>Establish common principles for drafting enforceable conditions</td>
<td>ENV lead EMPR, EAO support</td>
<td>Principles adopted Q1 2018</td>
<td>All three agencies have guidance for drafting enforceable conditions</td>
</tr>
<tr>
<td></td>
<td>New and amended permits written with enforceable conditions</td>
<td>EMPR, ENV, EAO</td>
<td>As permits issued/amended</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>
**Objective**

4. Promote compliance with regulatory requirements

**Strategy**

B. Work with industry to determine needs for targeted compliance education and encourage best practices

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<tbody>
<tr>
<td><strong>Actions</strong></td>
</tr>
<tr>
<td>1. Conduct outreach to determine focus for mining guidance and education needs</td>
</tr>
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June 20, 2018
**Objective**

4. Promote compliance with regulatory requirements

**Strategy**

C. Increase compliance through education and awareness

<table>
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<tr>
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<tbody>
<tr>
<td>1. Develop and implement with industry a proponent early education program</td>
<td>Conduct coordinated post EAC issuance meeting with certificate holder to review EAC requirements</td>
<td>EAO lead EMPR, ENV support Program coordinated by EAO through Major Projects Coordination Committee</td>
<td>EACs issued for major mines followed by coordinated meeting within 90 days of issuance – beginning Q1 2018</td>
<td>Process initiated for mines that received EA Certificates in Q1 2018 and will continue going forward</td>
</tr>
</tbody>
</table>
### Objective
5. Enhance policy, tools and training to support a comprehensive C&E program

### Strategy
A. Provide inspectors with additional C&E tools to address non-compliance

#### Key Actions to support strategy

<table>
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<tbody>
<tr>
<td>1. Develop and implement Administrative Monetary Penalties under the Mines Act as an additional enforcement tool for responding to non-compliance</td>
<td>Enable administrative monetary penalty program through enactment of Administrative Penalties (Mines) Regulation</td>
<td>EMPR lead</td>
<td>Regulation enacted and in force Q1 2017</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Administrative Penalties (Mines) Regulation</td>
</tr>
<tr>
<td></td>
<td>Conduct staff training</td>
<td>EMPR lead ENV support</td>
<td>Circulation of administrative monetary penalty training materials to EMPR staff Q4 2017 and deliver additional training Q1 2018</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Training delivered, further guidance and templates developed, ongoing mentoring</td>
</tr>
<tr>
<td></td>
<td>Conduct additional industry outreach (mine managers)</td>
<td>EMPR lead</td>
<td>Outreach to mine managers on program implementation Q1 2018</td>
<td>Industry update on AMPs program via mine managers meeting February 2018</td>
</tr>
<tr>
<td>2. Develop and implement new tools for responding to non-compliance</td>
<td>EAO to explore implementation of administrative monetary penalty program and ticket program</td>
<td>EAO lead</td>
<td>Options/recommendations Q1 2019</td>
<td>New</td>
</tr>
<tr>
<td></td>
<td>ENV to hold restorative justice session for EMPR and EAO</td>
<td>ENV lead</td>
<td>Session held by Q4 2018</td>
<td>New</td>
</tr>
</tbody>
</table>
**Objective**

5. Enhance policy, tools and training to support a comprehensive C&E program

**Strategy**

B. Explore opportunities where new technologies may be used to strengthen industry compliance

<table>
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<tbody>
<tr>
<td>1. Develop and pilot the use of new information management technology for proponent compliance reporting</td>
<td>Pilot new technology that automatically scans industry reported data for non-compliances</td>
<td>ENV lead</td>
<td>Pilot report complete including consideration of applicability to EMPR and EAO Q1 2018</td>
<td>Pilot and report complete. Lessons learned shared with C&amp;E Steering Committee</td>
</tr>
<tr>
<td></td>
<td>Implement use of Natural Resource Inspection System (NRIS)</td>
<td>EMPR lead</td>
<td>In use (piloting) Q1 2018</td>
<td>NRIS training complete and program in use Q1 2018</td>
</tr>
<tr>
<td>2. Develop and test the use of new mobile technology to increase compliance</td>
<td>EAO to develop and test a mobile app</td>
<td>EAO lead</td>
<td>App launch Q4 2018</td>
<td>New</td>
</tr>
</tbody>
</table>
**Objective**
5. Enhance policy, tools and training to support a comprehensive C&E program

**Strategy**
C. Strengthen training for mining inspectors

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<tr>
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</thead>
<tbody>
<tr>
<td>1. Enhance cross-agency mining inspector training opportunities</td>
<td>Develop coordinated training plan</td>
<td>EMPR lead</td>
<td>Plan developed in Q1 2018</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Develop training opportunities calendar</td>
<td>EMPR lead</td>
<td>Calendar in place and populated Q4 2017</td>
<td>Complete</td>
</tr>
<tr>
<td></td>
<td>Support cross training with other agencies (EMPR, ENV, EAO)</td>
<td>EMPR, ENV, EAO</td>
<td>5 cross-training opportunities per year, reported in the annual report – starting in 2018</td>
<td>Underway</td>
</tr>
<tr>
<td></td>
<td>EAO officer and EMPR inspector cross appointments</td>
<td>EMPR/EAO</td>
<td>2 cross appointments by Q1 2019</td>
<td>New</td>
</tr>
</tbody>
</table>

- Training schedule launched on inspector of mines training intranet site, continuously updated to reflect on-going training activities
- Joint training (H&S inspectors and EAO staff) delivered Jan 2018 related to Health and Safety
- February 2018 joint training with FLNRO staff, delivered by EMPR on interviewing skills and techniques