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## NEWS RELEASE

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Ministry of Energy and Mines

### **B.C. completes implementation of all independent panel recommendations**

VICTORIA – New changes to the mining code put British Columbia at the forefront of global standards for the safety of tailings storage facilities (TSFs) at mines operating in B.C., Minister of Energy and Mines Bill Bennett announced today.

“With these updates to the mining code, along with the new site characterization guidelines from the Association of Professional Engineers and Geoscientists of BC, British Columbians can have confidence that our standards for tailings storage facilities are as good as exists anywhere in the world,” Bennett said. “The Mt. Polley disaster was unprecedented for British Columbia, but it did happen. We have now taken steps to ensure that such a disaster can never happen again in British Columbia.”

The implementation of the seven recommendations from the Independent Expert Engineering Panel’s investigation into the Aug. 4, 2014, tailings pond breach at the Mount Polley Mine was ordered by Bennett in June 2015 and is now complete. The panel concluded that the dam failed because the strength and location of a layer of clay underneath the dam was not taken into account in its original design and made seven recommendations to prevent such incidents in the future.

In keeping with the independent expert panel’s recommendations, the mining code now includes design standards for TSFs that are tailored to the particular conditions encountered in British Columbia and emphasize protecting the public and workers. These include TSF design requirements for the steepness of downstream slopes, the minimum static factor of safety and new seismic and flood design criteria.

The expert panel delivered a report in January 2015 on its investigation into the cause of the failure of the tailings storage facility at the Mt. Polley Mine. The report also included the release of 35,000 pages of documentation related to the panel’s investigation.

Updates to the TSF portion of the mining code include new design and operations criteria for TSFs, requiring water balance and water management plans for TSFs and requiring mines with TSFs to establish Independent Tailings Review Boards.

“The changes to the B.C. mining code are far-reaching and responsive to the recommendations of the panel. I would like to commend the minister, the chief inspector of mines and the code review committee for completing such a thorough review in order to address the panel’s recommendations,” said Dirk van Zyl, professor and chair of mining and the environment, University of British Columbia mining program and former member of the Independent Expert Engineering Panel. “These changes put B.C. in a leadership position and clearly set the groundwork for a more comprehensive approach to consistent tailings management in the

province. It is another step towards the overall goal of moving to zero TSF failures. Minister Bennett's acceptance of all of the panel and other recommendations, and his insistence to complete their implementation, is an important commitment to everyone in B.C.”

Through these revisions to the Mining Code, government has addressed 20 of the 26 recommendations from the independent expert panel and the chief inspector of mines’ reports. The 17 recommendations from the Office of the Auditor General’s report have also been accepted by government and are expected to be addressed by the end of 2017.

The Association of Professional Engineers and Geoscientists of BC (APEGBC) has completed the new professional practice guidelines for site characterization for tailings dams in British Columbia. The new guidelines directly respond to the independent expert panel’s recommendation that APEGBC develop guidelines that would lead to improved site characterization for tailings dams with respect to the geological, geomorphological, hydrogeological and seismotectonic characteristics.

“British Columbians rightfully expect safety and professionalism in every aspect of how resource development projects are carried out, said Ann English, chief executive officer and registrar of the Association of Professional Engineers and Geoscientists of BC. “The updates to the Mining Code and the development of site characterization guidelines, in line with the recommendations of the independent expert panel and chief inspector of mines, support high standards of practice by B.C. engineers and geoscientists and our responsibility to public protection.”

The Code Review Committee is chaired by the chief inspector of mines and includes an equal number of representatives from First Nations, mine labour unions and industry. It consists of three separate committees: an overarching Code Review Committee and two sub-committees that provide technical reviews for the TSFs and the health and safety technical sections of the code.

“The Code Review Committee worked for more than a year to develop these changes and I want to thank them for all of their work,” Bennett said.

“B.C.’s commitment to improving standards for tailings regulation and management in this province will go a long way to addressing uncertainties regarding tailings safety for First Nations,” said Nalaine Morin, principal, ArrowBlade Consulting Services and member of the Code Review Committee.

Following the Mt. Polley dam failure, the Ministry of Energy and Mines implemented a new web-based records system that provides easier access and greater transparency to permit information, inspection reports and other details about mines in British Columbia. Moving forward, each mine will be required to submit an annual report that includes an overview of its Independent Tailings Review Board’s activities and these will be posted to this site.

“The revised Mining Code sets an international standard for regulators and dam owners to assure the safety for tailings dams for protection of the public and the environment,” said Harvey McLeod, who is vice-president, strategic marketing, principal, Kohn Crippen Berger and chair of the Tailings Technical Review sub-committee. “I would like to thank the tailings subcommittee for its hard work and devotion to developing the code revisions over the last year and, with representation from regulators, dam owners, First Nations, and consultants, and

public input, the subcommittee has set a new standard for safe management of tailings dams.”

“Safety is the number-one priority for the mining industry and B.C.’s mining operators are committed to the responsible management of tailings facilities to ensure the safety of communities, employees and the environment,” said Karina Briño, president and CEO of the Mining Association of BC. “MABC appreciated the opportunity to work in collaboration with government, First Nations and labour representatives to develop these updates to the code and will continue to engage in an open and transparent dialogue with First Nations and all stakeholders regarding industry practices, responsible environmental management and continuous improvement.”

“The government’s implementation of the recommendations coming out of the independent panel’s report is a strong step towards improving the safety of British Columbia’s mines,” said Brett Chapman, business representative, International Union of Operating Engineers 115 and Code Review Committee member. “I look forward to a similar commitment from the government to implementing the recommendations from the chief inspector’s investigation and the auditor general’s report, especially to the health and safety portion of the Mines Act. It’s my hope once all changes have been implemented, the code will be reviewed regularly to ensure safety standards remain up to date.”

The code is the primary vehicle for regulation of the Province’s mining industry for all stages of a mine’s life, from exploration through to mine development, and includes mine closure and reclamation. The purpose of the code is to protect workers and the public from risks arising from activities at mines, as well as providing for the protection and reclamation of the environment.

#### **Learn More:**

A complete list of the combined 43 recommendations from the independent expert panel, the chief inspector of mines and, the Office of the Auditor General is available here:

[www.gov.bc.ca/minecodereview](http://www.gov.bc.ca/minecodereview)

To view a PowerPoint presentation on the announcement visit:

[https://news.gov.bc.ca/files/Code\\_Updates\\_brought\\_into\\_force.pdf](https://news.gov.bc.ca/files/Code_Updates_brought_into_force.pdf)

To view two backgrounders: [https://news.gov.bc.ca/files/NGD\\_BACKGROUNDERS.pdf](https://news.gov.bc.ca/files/NGD_BACKGROUNDERS.pdf)

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