
NEWS RELEASE

For Immediate Release
2021EMLI0042-001170
June 18, 2021

Ministry of Energy, Mines and Low Carbon Innovation

Mines chief auditor releases first audit

VICTORIA – The first report from the mines chief auditor confirms B.C. has one of the best tailings storage facility (TSF) regulatory frameworks in the world.

The revisions made to TSF regulations had positive impacts on their management and operation and helped ensure mining activities remain safe for workers, communities and the environment.

The chief auditor's report, *Audit of Code Requirements for Tailings Storage Facilities*, concludes that the changes implemented in 2016 to the Health, Safety and Reclamation Code for Mines in British Columbia are consistent with established industry best practices, are clear and enforceable, and have a high level of compliance from industry.

The chief auditor provided seven recommendations to ensure regulations and oversight continue to improve and offer strong environmental protection. The Ministry of Energy, Mines and Low Carbon Innovation has accepted all seven recommendations and developed a new action plan to support implementation.

"This first audit allows us to assess how our mining regulations and standards work, identifying what we can build and improve upon to ensure safety for people, communities and the environment," said Bruce Ralston, Minister of Energy, Mines and Low Carbon Innovation. "We are committed to implementing all seven recommendations put forward by the chief auditor and will continue our work to build a world-leading regulatory framework for TSFs here in B.C."

The seven recommendations are summarized as follows:

1. Resolve inconsistencies and overlap in TSF regulation between the code and the Dam Safety Regulation under the Water Sustainability Act.
2. Develop a plan for determining when and how the regulatory framework for tailings storage facilities will be updated to reflect evolving best practices.
3. Clarify ambiguous language in the code pertaining to TSFs.
4. Revise the code guidance document to be consistent with the code.
5. Ensure ministry staff and regulated parties have a common understanding of the ministry's approach to compliance verification and enforcement of the TSF regulatory framework.
6. Develop plans to ensure the workload of geotechnical inspectors is prioritized effectively.
7. Ensure compliance data for tailings storage facilities are entered, used and managed consistently among ministry staff.

"The 2016 revision of the code related to TSFs was selected as one of our first audits due to the

importance of this topic and the high level of interest from Indigenous communities, the public and industry following the breach of the TSF at Mount Polley,” said Andrew Rollo, chief auditor. “I want to thank the audit team for their dedication to producing a high-quality report and recommendations that I believe will contribute to the continuous improvement of TSF oversight in British Columbia.”

The chief auditor is an independent statutory role established in August 2020 through amendments to the Mines Act. The chief auditor is tasked with conducting audits to evaluate the effectiveness of the regulatory framework for mining in B.C. and is supported in this work by the Mine Audits Unit. The ministry created the audit function as part of a comprehensive response to concerns identified by the auditor general in 2016.

Quotes:

Dirk Van Zyl, member, Mt. Polley Independent Engineering Review Panel –

“I commend the ministry’s Mine Audits Unit for developing such a well-reasoned first audit of Part 10 of the Health, Safety and Reclamation Code for Mines in B.C. This will result in strengthening the code and maintain its status as one of the best in the world.”

Nalaine Morin, Indigenous representative, Code Review Committee –

“The audit report is well written and the recommendations will only help to improve the management of TSFs in the future. The Code Review Committee will be able to use these findings in future work to ensure that B.C.’s standards continue to lead.”

Alan Young, Mining Jobs Task Force member –

“The Audit of Code Requirements for Tailings Storage Facilities is a very important step towards the goal of achieving greater tailings dam safety in the province. The report’s findings can serve as a pathway for necessary reforms. If the Province is able to follow through on these recommendations in ways that reach the mine site level, this has the potential to demonstrate real leadership on tailings management globally.”

Learn More:

For information on the Audit of Code Requirements for Tailings Storage Facilities, including the report and the ministry’s response and action plan, visit:

<https://www2.gov.bc.ca/gov/content/industry/mineral-exploration-mining/mine-audits-unit/audits>

For general information on the Mine Audits Unit, visit:

<https://www2.gov.bc.ca/gov/content/industry/mineral-exploration-mining/mine-audits-unit>

A backgrounder follows.

Contact:

Ministry of Energy, Mines and Low Carbon
Innovation
Media Relations
250 952-0622

Connect with the Province of B.C. at: news.gov.bc.ca/connect

BACKGROUND

For Immediate Release
2021EMLI0042-001170
June 18, 2021

Ministry of Energy, Mines and Low Carbon Innovation

Actions to support B.C.'s commitment to regulatory excellence for safe mining practices

Since 2016, the Ministry of Energy, Mines and Low Carbon Innovation has taken substantial action to improve mining oversight in B.C. These actions include:

- implementing revisions to the tailings storage facility (TSF) provisions of the Health, Safety and Reclamation Code for Mines in British Columbia based on recommendations provided by the Independent Expert Engineering Investigation Review Panel and the chief inspector of mines, including requirements related to the engineer of record, Independent Tailings Review Board, TSF qualified professional and dam safety inspections;
- establishing a Standing Code Review Committee to ensure the key technical regulation for mining in B.C. is kept up to date and remains world class; and
- separating the permitting and compliance and enforcement regulatory functions to ensure core regulatory functions are properly resourced and prioritized.

The Mining Health, Safety and Enforcement Division, created in 2019, has invested \$20 million over three years to enhance regulatory effectiveness.

The Standing Code Review Committee, established in 2019, ensures provincial regulations remain current and responsive to changes in the industry. The first revisions, unanimously recommended by the committee, came into force April 1, 2021, and the work of the committee is ongoing.

Government strengthened and modernized mining oversight in B.C. by amending the Mines Act in August 2020. These amendments:

- created a new chief permitting officer, distinct from the chief inspector of mines. This change allows the chief inspector of mines to focus their efforts on health, safety and enforcement;
- further strengthened government's ability to hold mines accountable by strengthening investigation authorities, clarifying offence provisions and increasing the limitation period from three to five years in both the Mines Act and the Environmental Management Act; and,
- established a chief auditor, who oversees the ministry's auditing team that evaluates the effectiveness of the mining regulatory framework and makes recommendations for improvements.

Additional actions to improve mining oversight include establishing the Mine Investigation Unit within the ministry, resulting in the first successful prosecutions in two decades and implementing an administrative monetary penalties program for non-compliance.

Contact:

Ministry of Energy, Mines and Low Carbon
Innovation
Media Relations
250 952-0622

Connect with the Province of B.C. at: news.gov.bc.ca/connect