



Environmental Assessment Office

Inspection Record

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| Project Name: Brule Mine Project | Inspection Status: |
| Certificate #: M06-02 | Inspection No: |
| Certificate Status: <u>Certified</u> | Inspection Date: 2015-07-21 |
| Region: <u>Peace</u> | Office: <u>Victoria</u> |
| Trigger: <u>Planned</u> | Incidents of Non-Compliance Observed: <u>Yes</u> |
| Non-Compliance Decision Matrix Level: <u>Level 1 - No impact likely</u> | Non-Compliance Decision Matrix Category: <u>No previous NCs, good awareness/attitude</u> |
| Inspector Name(s): Justin Carlson and Brenda Black | |
| Audit Record(s): | Total Non-Compliance(s): |
| Proponents Name: Brule Coal Partnership | |
| Proponents Contact(s): Jackie Caldwell, Environmental Coordinator, Brule Mine | |
| Mailing Address: PO Box 1240, Tumbler Ridge, BC V0C 2W0 | |
| Phone No: 250-242-3764 | Fax No: |
| Contact Email: Jackie.caldwell@waltercanada.com | |
| Location Description: The Brule Mine is located approximately 45 km South of Chetwynd. | |
| Lat: 55° 23' 17.1" N | Long: 121° 49' 22.1" W |
| Sector: <u>Mines</u> | |

Summary

| MONITORING AND REPORTING REQUIREMENTS | |
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| Inspection Period: From: 2015-07-21 To: 2015-07-21 | |
| Certificate or Act: Environmental Assessment Certificate M#06-02 | |
| Activity: <u>On Site</u> | |
| Inspection Summary: <p>This record details the results of an inspection against conditions attached to EAC# M06-02, that occurred July 21, 2015. The inspection was conducted by Justin Carlson, Compliance Officer, BC Environmental Assessment Office (C&E Carlson) and Brenda Black, Compliance Officer, BC Environmental Assessment Office (C&E Black). In addition to C&E Black, C&E Carlson was accompanied during the inspection by the following: Alex BRISSARD, Environmental Manager (Walter Energy) and Harrison MAZUR, Environmental Technician (Walter Energy).</p> <p>The Brule Mine is currently in care and maintenance mode as production has stopped. As a result, this inspection focussed on some of the administrative components of the project as well as the basic maintenance requirements as part of the project's plans/certificate conditions.</p> <p>Due to staff turnover with Walter Energy, Jackie CALDWELL, Environmental Coordinator with Brule Mine, provided the requested information for the administrative component of this inspection.</p> <p>As part of the Administrative component of this inspection C&E Carlson had requested the following information to verify compliance with the following commitments:</p> <p>Commitment #4- Fuel Management Plan Commitment #5- Chemical and Materials Storage and Handling Plan Commitment #6- Environmental Management System (A framework or plan demonstrating this) Commitment #7 etc.- Project site orientation (presentation, or copy of handbook etc. presented to new employees/visitors on site) Commitment #8- Emergency Preparedness and Response Plan Commitment #11- Surface Erosion Prevention and Sediment Control Plans Commitment #35- Some form of confirmation from DFO regarding water management of the Mine Site. If none was needed, then a copy of the communication from DFO stating that. Commitment #50- A copy of an annual report submitted to DFO Commitment #55- A report or field notes from the Selenium sampling of Blind Creek in 2006. Commitment #61- Wildlife Protection Plan Commitment #76- A copy of the seed mix used in reclamation as well as correspondence or some means of proof showing that important plants from a traditional use perspective have been incorporated. Commitment #82- Please provide me with a statement/ document proving compliance with this commitment.</p> | Response: |

Commitment #83- Please provide me with a tracking record or consultation records demonstrating compliance with this commitment

Commitment #84- please provide me with a statement or document showing that this commitment has been met. (Understandable if there is no recent records of this due to care and maintenance, but anything from previous tours/visits would suffice.)

Commitment #96- please provide a copy of a flier, newspaper article or website or other means of proof of compliance with this commitment.

Commitment #113- please provide me with a copy of at least one of these studies post 2006.

Commitment #115- please provide me with proof of compliance with this commitment. A statement, meeting notes or anything done by the Project with regards to this commitment.

Commitment #116- field inventory study or report for red and blue listed plants in wetland areas within the project foot print that was to be completed in summer 2006.

Due to staff turn-over rates and limited resources, CALDWELL provided C&E Carlson with supporting documentation for the following commitments: 4, 5, 6, 7, 8, 11, 50, 76, 83, 96, 113 and 116 but not 35, 55, 61, 82, 84 and 115.

Please note that the supporting documentation provided for Commitment #96 does not meet the requirement of the commitment as detailed below. EAO C&E may require the provision of the missing and incomplete information during care and maintenance or prior/during potential future operations.

C&E Carlson inspected the mine site, infrastructure, bioreactor cell, settling ponds 1 and 2, access and haul roads, worker accommodation camp, fuelling locations, and construction/operations equipment.

C&E Carlson and C&E Black completed a verbal debrief of inspection observations with BRISSARD and MAZUR at approximately 1120 hrs on July 21, 2015.

After review of observations and information obtained during the inspection, the following preliminary compliance determinations have been made:

1. Out of Compliance with Commitment #4 relating to concrete barriers that are to surround each fuel tank.
2. Not Determined with Commitment #8 as EAO C&E cannot determine that the ERP provided was based off of the Dillon Mine ERP.
3. Not Determined with Commitment #11 as EAO C&E cannot determine that the plans provided were a component of the earthworks contracts during construction.
4. Not Determined with Commitment #62 as there was no list or record provided outlining which employees/contractors received the Site Orientation slideshow.
5. Not Determined with Commitment #113 relating to Selenium monitoring specific to the literature component, any agreed upon monitoring schedule with MoE as well as whether or not additional monitoring reports were completed.
6. Not Determined with Commitment #116 as the information provided does not fully support the requirement. Red and blue listed plant surveys were provided for very specific locations on the project. Additional surveys for the rest of the project, or a rationale as to why these surveys were not needed, is required to determine compliance with this commitment.

7. Compliance could also not be determined for the following commitments: 35, 55, 61, 76, 84 and 115 as there were no documents provided by the Certificate Holder to support compliance with these commitments. It is recommended that these commitments be inspected against on a follow-up inspection once the mine begins operating again.

8. In Compliance for the following commitments: 5, 6, 7, 45, 50, 82 and 96. The documents provided, or information observed in the field, provide evidence of these commitment requirements being met at the time of this inspection.

Please note that the compliance determinations in this report reflect the findings from the inspection date noted above and that these determinations can change at any time upon information gathered through future inspections or if new information is obtained by EAO C&E.

| Compliance Summary | In | Out | N/A | N/D |
|-------------------------------------|----|-----|-----|-----|
| Automatically populated upon upload | | | | |

Inspection Details

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| Types of Compliance: <u>Operation</u> |
| Requirement Description: Commitment #4 Fuel Management Plan Brule Mine Project contractors will be required to comply with the Project Fuel Management Plan |
| Findings: The Invasive Plant Management Plan, Chemical and Materials Handling Plan and the Fuel Management and Spill Contingency Plan are all attached as Appendix B. Page 1 of the Fuel Management and Spill Contingency Plan states, "At a minimum the fuel storage tanks will be double-walled "enviro tanks." These tanks will be underlain with an impermeable barrier to prevent fuel spills from entering the soil. These storage tanks will be protected from vehicle collision by concrete barriers on all sides. A sump/ or oil/water separator to catch surface runoff maybe required depending on the volume and /or amount of time the fuel needs to be sorted on-site." Two bulk fuel tanks were observed on this inspection. One tank is located near the office trailers on site and the other was found near the worker's accommodation camp. Each tank was identified as double-walled and was contained within a lined berm to prevent fuel spills from entering the soil. Hoses to draw surface runoff to an oil/water separator were observed at each tank. See Appendix A photo 19. Both tanks observed were lacking the required concrete barriers on all sides. At this time, C&E Carlson notes that the current state of the project, care and maintenance, provides a lower risk of having a vehicle collide with a fuel tank. |
| Compliance: <u>Out</u> |
| Types of Compliance: <u>Operation</u> |
| Requirement Description: Commitment #5 Chemical and Materials Storage and Handling Plan Brule Mine Project contractors will be required to comply with the Project Chemicals and Materials Storage and Handling Plan. |
| Findings: The Invasive Plant Management Plan, Chemical and Materials Handling Plan and the Fuel Management and Spill Contingency Plan are all attached as Appendix B. The Brule Mine is currently in care and maintenance mode with only small amounts of hazardous waste in the form of waste oil and lead acid batteries onsite. Waste oil and lead acid batteries were being stored in accordance with the legislation and best practices during the inspection. See also commitment #78 for further details. The Chemical and Materials Handling Plan does not meet legislated requirements for the handling and storage of hazardous waste in BC by the Hazardous Waste Regulation. The Chemical and Materials Handling Plan provided supports a determination for, "In compliance" with the requirements of the EAC. EAO C&E recommends that the certificate holder update the plan to accurately reflect the legislated requirements for handling and storage of hazardous waste in BC before it resumes operations. |
| Compliance: <u>In</u> |

Types of Compliance: Operation**Requirement Description:**

Commitment #6 Environmental Management System
WCCC will develop an Environmental Management System for the construction and operations phases of the Project

Findings:

The Brule Environmental Management System (EMS) Manual is attached as Appendix C.

4.1.1 of the Application details key structural elements of the Environmental Management System including:

- Environmental Policy Statement
- Environmental Management Manual
- Environmental Standards & Procedures
- Environmental Risk Assessments
- Environmental Plans
- Operations, Maintenance and Surveillance Manuals
- Other Project-Specific Operational Requirements

4.1.1.2 of the Application states that the EMS and its programs will be reviewed annually to ensure that they continue to meet the needs on site.

4.1.1.3 of the Application states that the EMS will identify who is responsible for ensuring that requirements are fulfilled, periodic reviews of performance against requirements are conducted, as well as a communication protocol regarding environmental requirements for employees and contractors.

The Brule Environmental Management System Manual provided is version 1.0 dated April 2011.

The EMS contains the following topics/components (the list below is not all inclusive):

- Roles, Responsibilities and a framework for an environmental management program including links to internal policy and procedures.
- Requirements outlined under legal agreements and corporate objectives
- Training, guidance and communication procedures with relation to policy, procedure and the contents of the EMS
- Required Management Plans
- Measuring and monitoring with regards to environmental compliance with the regulations and corporate standards.
- The requirement for annual internal audits to determine if the EMS and its policies and procedures are being implemented accordingly and if they require updating.
- Nonconformity, risk assessments, corrective and preventative action
- All of the policy, procedures and referenced documents in the EMS are linked to an internal sharepoint site. The EMS states repeatedly that the employee is to rely on the version in the sharepoint as it would be the most up-to-date document.

The Brule Environmental Management System Manual appears to contain all the information stated in the application.

The information provided supports a determination for, "In Compliance" with the requirements of the EAC and the application.

C&E Carlson did not have access to the linked policy and procedures in the document and did not request them as part of this inspection.

Compliance: In**Types of Compliance: Operation**

Requirement Description:

Commitment #7 Environmental management System

The Project site orientation will include an introduction to the Environmental Management System (EMS)

Findings:

The project site orientation is attached as Appendix D.

The orientation contains a slide that states the following:

Environmental Management System (EMS)

- Includes procedures and plans designed to minimize our impact on the environment and achieve compliance with relevant legislation

- Will be integrated with engineering procedures and Operations & Maintenance Manuals.

All persons working on a WCC mine site must make themselves familiar with the requirements of the EMS related to their jobs.

This slide demonstrates that the employees that receive this orientation are made aware of the Environmental Management System and that they are to familiarize themselves with it.

Compliance: In

Types of Compliance: Operation**Requirement Description:**

Commitment #8 Emergency Preparedness and Response Plan

The Emergency Preparedness and Response Plan for the Dillon Mine will be customized and updated to apply to Brule Project Sites.

Findings:

The Brule Mine Emergency Response Plan (ERP) is attached as Appendix E.

The ERP does not make reference to the Dillon Mine Plan and appears to have been designed specific to Brule Mine.

The ERP includes, but is not limited to:

- Roles, responsibilities and contact information for those in charge during specific emergencies
- Description and matrix of various emergencies that can arise
- Contact information for various emergencies
- Evacuation plans from various locations on site
- Protocols regarding emergencies involving: medical issues, fire, hazardous materials and chemicals, gas leaks, fatalities, explosions, earthquakes, bomb threats, etc.
- forms that are to filled out in regards to spills, bomb threats, and safe work procedures
- maps detailing coordinates and muster points

In order to determine compliance with this commitment; EAO C&E would require more information verifying that the Brule ERP was based off of the Dillon Mine Emergency Preparedness and Response Plan.

Compliance: Not Determined

Types of Compliance: Operation**Requirement Description:**

Commitment #11 Erosion Control

Surface Erosion Prevention and Sediment Control Plans (SEPSC) will be a part of the contract documents for earthworks contracts for construction of the Brule Mine. Falling Creek Flats Loadout, Falling Creek Connector Haul Route and Powerlines. Plans for the mine and loadout will be part of the

water management plans for those facilities.

Findings:

The Falling Creek Flats Loadout component of this commitment was removed with Amendment #1 to the Brule EAC dated August 18, 2009. This amendment can be found here:
http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_document_252_31470.html

Contracts with various earthworks contractors were not provided as these documents may contain information that is confidential. CALDWELL did provide the following documentation to support this commitment:

- Brule Powerline specific Construction Environmental Management Plan (CEMP) (Appendix F)
- Falling Creek Connector Haul Route Surface Erosion and Sediment Control Plan (SEPSC) (Appendix G)

In order to determine compliance with this commitment; EAO C&E would require more information verifying that the above plans were included in the contract documents for earthworks contracts for construction of the Brule Mine.

Compliance: Not Determined

Types of Compliance: Operation

Requirement Description:

Commitment #45 Water Quality

If concentrations of nitrate, or other water quality parameter, exceed the Canadian Drinking Water Quality Guidelines, WCCC will post signs at the confluence of Blind Creek and the Sukunka River noting that the water is non-potable.

Findings:

See Appendix A photo 20 depicting a sign posted stating, " NOTICE- The concentration of Selenium in the waters of the Blind Creek is above the Canadian Drinking Water Quality Guidelines". This sign is posted on a tree near the Western side of the bridge that crosses the Sukunka River on the Blind Creek Road.

The sign location is adjacent to the Blind Creek Road near the confluence of Blind Creek and the Sukunka River.

Compliance: In

Types of Compliance: Operation

Requirement Description:

Commitment #50 Hydrology

WCCC will provide DFO with an annual report of the winter low flow monitoring data and an assessment of the flow model prediction accuracy and net impact to fish habitat within Blind Creek, based on the low flow assessment. If enhancement is determined by DFO to be required, WCCC will consult with MOE and DFO to determine acceptable enhancement options.

Findings:

CALDWELL provided and email from DFO with the last reports from 2008 and 2009. See the attached email as Appendix H. In the email, CALDWELL references an email communication from MAZUR to Chantelle Caron, Fisheries Protection Biologist with DFO, with Caron stating that there is no longer a requirement under any DFO authorization to send monitoring reports for the Brule Coal Mine Project and DFO has not received any further monitoring reports since 2009.

Two years of winter flow monitoring data has been provided as per the email attached in Appendix H. The two reports from 2008 and 2009 provided in Appendix H discuss using the Mink Creek system as a baseline for any changes in the Blind Creek system. Flow monitoring was conducted using the salt dilution method.

The information provided in the email from CALDWELL was confirmed on January 21, 2016 when C&E Carlson contacted Dale Desrochers, Fisheries Protection Biologist at DFO.

Desrochers stated that there was never an authorization issued by DFO for the Brule Mine Project and

that under the Fisheries Act in 2006, it was determined that no further mitigation beyond the monitoring requirements in the EAC were required. Desrochers confirmed that there was no further monitoring reports required as per the last one received in 2009.

Compliance: In

Types of Compliance: Operation

Requirement Description:

Commitment #62 Wildlife Management
WCCC will communicate Wildlife Protection requirements to staff and contractors at the site Orientation.

Findings:

The project orientation slideshow is attached as Appendix D. Slides 14-15 provide a brief outline regarding the company goals, policies, and reporting requirements. Slides 16-17 provide a brief outline on bear awareness as well as some information from the Wildlife Act relating to potential fines and penalties that can be implemented should a person feed, or leave food for: bears, cougars, coyotes or wolves.

In order to determine compliance with this commitment; EAO C&E would require more information verifying that staff and contractors on site received the orientation slideshow.

Compliance: Not Determined

Types of Compliance: Operation

Requirement Description:

Commitment #76 Reclamation
WCCC will carefully examine what species are included in seed mixtures in an effort to maximize native species and where use of introduced agronomic species is unavoidable- limit their use to species that can be expected to provide adequate cover while allowing for succession to native species. Plants identified as important from a traditional use perspective, based on studies by WCCC in 2004, will be incorporated in revegetation programs.

Findings:

Appendices I and J attached are the reclamation report from 2013 and notes detailing what plants are to be planted as per the construction activity, respectively.

Some reclamation work can be seen in Appendix A photos 10, 11 and 15.

CALDWELL provided C&E Carlson with some consultation records from multiple First Nations detailing discussions related to plants to be used in reclamation. Due to the sensitive information contained in these records, they will remain confidential.

The confidential emails provided by CALDWELL discuss plant listings to be used in reclamation as well as meetings to discuss areas of concerns with First Nations including major areas of hunting, trapping and fishing. These emails are to various First Nations within the vicinity of the Brule Mine site.

The records provided demonstrate that WCCC sought input from First Nations on the plants to be used in reclamation.

BRISSARD stated on the inspection that the reclamation works were conducted with plants from the Twin Sisters Native Plant Nursery, a First Nations owned and operated facility that focusses on the propagation of native plant species for use in reclamation. Information on the Twin Sisters Native Plant Nursery can be found here: <http://kes.keefereco.com/previous-projects/twin-sisters-native-plant-nursery-development/>

The information provided and observations in the field support a determination for "In Compliance" at the time of this inspection.

Compliance: In

Types of Compliance: Operation

Requirement Description:

Commitment #78 Waste Management

WCCC will ensure that collection, storage, transportation and disposal of all wastes generated by all project components will be conducted in a safe, efficient and compliance manner.

Findings:

The project is currently in care and maintenance with very little project activity. Current waste storage can be seen depicted in Appendix A photos 4 and 5.

According to BRISSARD, hazardous waste was transported to RBW Waste Management Ltd. in Edmonton while non-hazardous waste was sent to a Peace River Regional District landfill located in Chetwynd.

All the stationary equipment is currently stored within the mine development area in order to contain any spills or leaks that may occur. See Appendix A photos 6 and 7.

There were no visible litter or attractants found on this inspection.

Based on the observations above, this commitment is found to be, "In Compliance" at the time of this inspection.

Compliance: In

Types of Compliance: Operation

Requirement Description:

Commitment #82 First nations and Kelly Lake Communities

WCCC will provide opportunities for First Nations and Aboriginal communities to participate in the economic benefits of the Brule Project through contract bid opportunities, jobs and training program opportunities.

Findings:

CALDWELL provided a letter of intent for Walter Energy to enter into an agreement with Duz Cho Construction L.P and Dunne-Za Ventures L.P for a multi-year contract for reclamation works. See the letter attached as Appendix K.

In addition to the letter provided, the confidential emails and tracking tables provided for Commitment #76 also describe job opportunity meetings with various First Nations prior to the project being constructed.

The information provided supports a determination for , "In Compliance" at the time of this inspection.

Compliance: In

Types of Compliance: Operation

Requirement Description:

Commitment #96 Socio-Community

WCCC will advertise job opportunities in Tumbler Ridge and Chetwynd and, whenever possible, require contractors to implement the company goal of maximizing local employment.

Findings:

CALDWELL provided EAO C&E with advertisements in the Tumbler Ridge Newspaper dated: December 20, 2011; January 31, 2012; March 6, 2012; January 22, 2013; and November 14 2013. See the newspaper add from January 22, 2013 attached as Appendix L.

The information provided supports a determination of, "In Compliance" at the time of this inspection.

Compliance: In

Types of Compliance: Operation

Requirement Description:

Commitment # 113 Selenium Management

WCCC will monitor the selenium concentrations in the whole body tissues in juvenile rainbow trout in Blind Creek for the first two years of production at the Brule Mine, and after that on a schedule to be agreed with MOE. If tissue selenium levels increase beyond two standard deviations of background tissue levels, then a literature review will be conducted to review the state of the science with respect to whole body tissue threshold levels that are protective for rainbow trout. Based on findings the need for additional site specific studies, which may include reproductive assessment, will be determined.

Study design will take into account movements of adult and juvenile rainbow trout in relation to Blind Creek.

Findings:

A Brule Mine 2013 Environmental Effects Monitoring report was provided by CALDWELL. See Appendix M for a copy of the report.

The report was completed by Golder and Associates with the following objectives for 2013:

- Characterize the wetland area of Blind Creek downstream of mine influence;
- Assess synoptically collected water quality data, including selenium speciation, to support interpretation of biological monitoring data;
- Assess synoptically collected sediment quality data from the wetland area of Blind Creek to support interpretation of biological monitoring data, and to assist in the characterization of the wetland area of Blind Creek;
- Evaluate selenium concentrations in periphyton, invertebrate, and fish tissues to provide information on selenium bioaccumulation in the receiving environment; and
- Evaluate potential differences in selenium bioaccumulation between Iotic and wetland ecosystems of the Brule Mine receiving environment as well as between the local receiving environment and other regional sites in northeast British Columbia (NEBC).

Section 4.3.3 of the report states that there has been an increase in selenium levels of rainbow trout in Blind Creek during 2004 to 2009 since construction and operations began on the project , however these levels have not varied much since 2009. One recommendation made in 4.3.3 is that obtaining additional egg and adult samples during spring freshet would provide a better baseline for monitoring. High flows and turbid conditions make this difficult.

This section also identifies juvenile rainbow trout as the ideal candidate for monitoring and sampling in Blind Creek as these fish have spent the most time in the watershed.

Page 45 of 274 includes Table 11 which provides a Summary of Selenium Concentrations In Fish Tissue Samples from 2004-2013 for the Brule Mine Biological Monitoring Program. The comparisons relate to Rainbow Trout in Blind Creek and Baker Creek and include juvenile adult and egg stages for various years.

The report provided indicates that testing has been ongoing in Blind Creek from 2004-2013. There is no indication in the report if a literature review has been, or will be, conducted as per the requirements of Commitment 113. The report does detail additional site specific studies (Tributary 3, Sukunka River, Baker Creek) and includes some reference to a reproductive assessment. This study does take into account movements of adult and juvenile rainbow trout in relation to Blind Creek.

In order to determine compliance with this commitment; EAO C&E would require more information verifying:

- Whether or not a literature review has been conducted, and if not, some rationale explaining why this has not occurred. If the literature review has been conducted, a copy of the report or document supporting this would suffice.
- A communication from MOE outlining the monitoring schedule.
- Any additional reports/studies completed as per the requirements of this commitment. This would include those monitoring reports from 2004-2012 as well as any after the 2013 report attached as Appendix M.

Compliance: Not Determined

Types of Compliance: Pre-Construction

Requirement Description:

Commitment #116 Vegetation

WCCC will complete additional field inventory of red and blue listed plants in wetland areas within the project footprint, which WCC agrees have the highest potential for red and blue listed plants. These surveys will be completed for the minesite in summer 2006 (prior to clearing), and in advance of

construction at other project sites.

Findings:

Appendix N details a wetland survey conducted for the Falling Creek Haul Road in August 2007 by Jacques Whitford AXYS Ltd. The survey states that it is for the proposed coal mine haul road and is to identify wetlands and red or blue listed vascular plants within wetland or riparian landscapes with the potential to be impacted by the Brule Coal Project.

Appendix O details a wetland survey conducted for the Brule Powerline (Option #3) right-of-way (ROW) in July 2008 by Jacques Whitford AXYS Ltd. The survey states that it is for the proposed Brule Mine Powerline and is to identify any rare plant locations and/or wetlands and rare ecosystems with the potential to be impacted by the Brule Coal Project.

In order to determine compliance with this commitment; EAO C&E would require more information verifying the following:

- Any additional surveys conducted for the mine site itself.

- Any additional surveys conducted for any of the other proposed powerline ROWs.

- Any additional survey conducted for any other part of the project not mentioned above with the potential to impact red and blue listed plants. This would include any additional access roads or offsite locations within the project footprint cleared as part of this project.

Compliance: Not Determined

ACTIONS REQUIRED BY PROPONENT(S) & ADDITIONAL COMMENTS:

Please provide notification to our office 2 weeks prior to resuming operations via email at eao.compliance@gov.bc.ca.

INSPECTION CONDUCTED BY:

Signature

Date Signed :

Justin Carlson, Compliance Officer, EAO

FINAL

ENCLOSURE(S) TO PROPONENT(S) & DESCRIPTION:

Appendix A- Photos
Appendix B- IPMP, CMHP and FM&SPP
Appendix C- EMS Manual
Appendix D- Enviro Orientation Brule
Appendix E- Brule Mine ERP
Appendix F- Brule Powerline CEMP
Appendix G- Falling Creek SEPSC
Appendix H- DFO response RE winter monitoring
Appendix I- reclamation Report 2013
Appendix J- Reclamation Notes
Appendix K- FN Contract for Reclaim Work
Appendix L- Tumbler Ridge News Ad
Appendix M- Selenium Effects Report 2013
Appendix N- Falling Creek Plant Survey
Appendix O- Brule Powerline 3 plant survey

REGULATORY CONSIDERATIONS:

Due to the current care and maintenance phase of the project, the non-compliance noted for commitment 4 is for information purposes. Should the project resume operations, EAO C&E will require that this non-compliance be rectified. Failure to do so may result in enforcement action.

For the commitments for which the compliance status has not been determined, any potential non-compliances would likely be low-risk during the current care and maintenance phase. If Brule Mine resumes operations, or if EAO C&E becomes aware of any potential adverse effects from these

commitments, EAO C&E may require the provision of the outstanding information.

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